



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 10, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**PROJECT NO. R2013-01647-(4)
COASTAL DEVELOPMENT PERMIT NO. 201300003
CONDITIONAL USE PERMIT NO. 201300166
PARKING PERMIT NO. 201300012
VARIANCE NO. 201300004
APPLICANT: PACIFIC MARINA VENTURE, LLC
PLAYA DEL REY ZONED DISTRICT
FOURTH SUPERVISORIAL DISTRICT (3 VOTES)**

SUBJECT

Pacific Marina Venture, LLC (Applicant) is requesting approval of Coastal Development Permit (CDP) No. 201300003, Conditional Use Permit (CUP) No. 201300166, Parking Permit No. 201300012, and Variance No. 201300004 (project permits) pursuant to the Marina del Rey Local Coastal Program (LCP) to authorize a project consisting of the following: 1) demolition of all existing facilities and removal of existing vegetation from the development area; 2) construction of up to 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space contained in eight buildings, with associated parking, signage, and landscaping, open-air dry boat storage for up to 56 boats and mast up storage for up to 13 boats, a 28-foot-wide public waterfront promenade, the realignment of the Marvin Braude Bike Path through the project site, and a public plaza; 3) consistency with the project site's "Waterfront Overlay Zone" development criteria; 4) valet-managed, commercial tandem parking arrangement and a reduction in required parking; and 5) a reduction of a portion of the Bali Way side yard setback and the rear yard setback adjacent to Parcel 43.

The Regional Planning Commission (Commission) held a public hearing on this matter on August 26, 2015, and voted unanimously to approve the project. The project was subsequently appealed to the Board of Supervisors (Board) on September 8, 2015, by Jon Nahhas, a project opponent.

IT IS RECOMMENDED THAT THE BOARD, AFTER THE PUBLIC HEARING:

1. Deny the appeal;
2. Indicate the Board's intent to certify the Final Environmental Impact Report along with the required Findings of Fact and Statement of Overriding Considerations and adopt the Mitigation Monitoring and Reporting Program for the project;
3. Indicate the Board's intent to approve Project No. R2013-01647-(4) including CDP No. 201300003, CUP No. 201300166, Parking Permit No. 201300012, and Variance No. 201300004; and
4. Instruct County Counsel to prepare the necessary Findings and Conditions to affirm the Commission's approval of Project No. R2013-01647-(4), including CDP No. 201300003, CUP No. 201300166, Parking Permit No. 201300012, and Variance No. 201300004.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The applicant proposes demolition of all existing facilities and the removal of existing vegetation from the development area and the construction of up to 83,253 square feet development consisting of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space on the project site. The various uses would be contained in eight one-and two-story buildings. Buildings 1, 3, and 7 will be one story tall and will contain boater restrooms. Building 2 is anticipated to contain a Trader Joe's (or other specialty market) and will be one story tall. Building 4 will be two stories tall and is anticipated to contain a West Marine store on the ground floor and new and replacement office space, marine administration offices, boat broker's offices, a community room/boater lounge, and a boater restroom and laundry facility on the second floor. Building 5 will be one story tall and will contain retail and restaurant space. Building 6 will be two stories tall and will also contain retail and restaurant space. Finally, building 8 will be two stories tall and will include a new yacht club facility (for the South Coast Corinthian Yacht Club currently located on the project site) with an attached one-story boat repair shop and adjacent service yard. In total, the project will provide at least 462 surface parking spaces and 100 bicycle parking spaces.

Other project components include open-air dry boat storage racks that will accommodate up to 56 boats, mast up storage for up to 13 boats, a public waterfront promenade that will be constructed along the entire bulkhead of the project site and connected to existing segments of the promenade west of the project site, realignment of the Marvin Braude Bike Path closer to the water and adjacent to the new public

waterfront promenade, and a hardscaped and landscaped public plaza set between buildings 5 and 6.

Finally, the project will upgrade infrastructure on the project site. Upgrades include reconstructed sidewalks along the project site's street frontages, including seven-foot-wide sidewalks along Admiralty Way and four-to-seven-foot-wide sidewalks along Bali and Mindanao Ways, and bioinfiltration systems to manage on-site stormwater runoff.

Implementation of Strategic Plan Goals

The project promotes Goal 1: Operational Effectiveness/Fiscal Sustainability, of the Los Angeles County (County) Strategic Plan, by redeveloping a parcel in unincorporated Marina del Rey that will result in increased revenue to the County from the ground lease associated with the project. The project also promotes this goal by constructing a public waterfront promenade and commercial space that support boating and boating activities in Marina del Rey. Further, the project promotes Goal 2: Community Support and Responsiveness, of the County's Strategic Plan, by redeveloping an aging commercial center and incorporating stormwater infrastructure that will reduce the volume of and filter stormwater runoff to reduce the environmental impact to the harbor's waters. The project also promotes this goal by incorporating a landscaping palette that is drought tolerant and appropriate for a coastal environment. Finally, the project promotes Goal 3: Integrated Services Delivery, by providing expanded, non-automobile access to the east side of Marina del Rey in the form of an expanded public waterfront promenade and an improved and realigned bike path with bicycle support facilities, including bicycle racks, along the public waterfront promenade. The project also promotes this goal by incorporating visitor- and boater-serving amenities into the project including restaurant, commercial, and community space as well as dry boat storage into the design of the project.

FISCAL IMPACT/FINANCING

The approval of the project and related CDP, CUP, Parking Permit, and Variance should not result in any significant costs to the County as the applicant will bear the full cost of development and construction including infrastructure to serve the project. No request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Commission conducted a public hearing on the project permits on August 26, 2015.

On March 4, 2015, a Hearing Examiner public hearing was held at the Marina del Rey Hotel to take public testimony on the Draft Environmental Impact Report (DEIR).

On August 26, 2015, the Commission voted to close the public hearing, certified Environmental Impact Report (EIR) along with the required Findings of Fact and Statement of Overriding Considerations (SOC), adopted the Mitigation Monitoring and Reporting Program (MMRP) for the project, and approved the project permits with attached findings and conditions. Following the approval of the project, Jon Nahhas (Appellant) appealed the project permits to the Board.

A public hearing is required pursuant to Section 22.56.2430 and Part 5 of Chapter 22.60 of the Los Angeles County Code (County Code). Notice of the hearing must be given pursuant to the procedures set forth in Sections 22.60.174 and 22.44.990 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061 and 65090 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An EIR was prepared for the project in accordance with the California Environmental Quality Act (Code Section 21000) and the County's Environmental Document Reporting Procedures and Guidelines. The EIR concludes that after implementation of the identified mitigation measures, the project would result in significant adverse impacts to the environment related to traffic and access, noise, and solid waste. A Statement of Overriding Considerations was also prepared, which identifies benefits from the project which outweigh the identified adverse impacts.


IMPACT ON CURRENT SERVICES OR PROJECTS

Action on the proposed CDP, CUP, Parking Permit, and Variance is not anticipated to have a negative impact on current services as the applicant will construct adequate infrastructure to serve the project and through payment of connection and service fees, the project will cover its fair share to develop new infrastructure as determined to be necessary.

CONCLUSION

Should you have any questions, please contact Kevin Finkel, AICP at 213-974-4854 or kfinkel@planning.lacounty.gov. Our office hours are Monday through Thursday 7:00 a.m. to 6:00 p.m.

Respectfully submitted,



Richard J. Bruckner
Director

for
RJB

RJB:SA:SZD:KAF:lm

Attachments: Commission Findings and Conditions
Commission Staff Reports
Correspondence
Exhibit "A"
EIR
CEQA Findings of Fact and SOC
MMRP

c: Executive Office; Board of Supervisors
Assessor
Chief Executive Officer
County Counsel
Public Works

K_CP_111015_PROJECT_NO_R2013_01642

NON-APPLICANT

Date 9/8/15

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT
NO./CUP NO.:

R2013-01647-(4)

APPLICANT:

~~THE~~ PACIFIC MARINA VENTURE, LLC

LOCATION:

LEASE PARCEL 44, MARINA DEL REY, CA
90292

Zoned
District

Related zoning matters:

CUP(s) or VARIANCE No.

201300003

Change of Zone Case No.

Other

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented in person with a check or money order made payable to the "Board of Supervisors" (check or money order must be presented with personal identification), during regular business hours 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the above address. Contact the Zoning Section of the Board of Supervisors for information: (213) 974-1426.

This is to appeal: (Check one)

☐

The cost of Denial of this request: 843.00*

☒

The cost of Approval of this request: 843.00*

*Except for Subdivision appeals: \$130.00 of this appeal amount is allocated to the Board of Supervisors' Hearing

Briefly, explain the reason for the appeal (attach additional information if necessary):

THIS PROJECT WOULD COMPLETELY HINDER
ACCESS TO THE PUBLIC RECREATIONAL
LANDS IN MARINA DEL REY AT THE
"GATEWAY TO THE MARINA" AS CITED
IN THE MARINA VISIONING PLAN. THIS
WOULD CONTRADICT THE COUNTY'S VISIONING
PLAN FOR THE MARINA.

x
(Signed)

Appellant

Print Name

Address

City/Zip

Day Time Telephone Number

E-mail Address

Regional Planning Commission Transmittal Checklist

Hearing Date

8/26/2015

Agenda Item No.

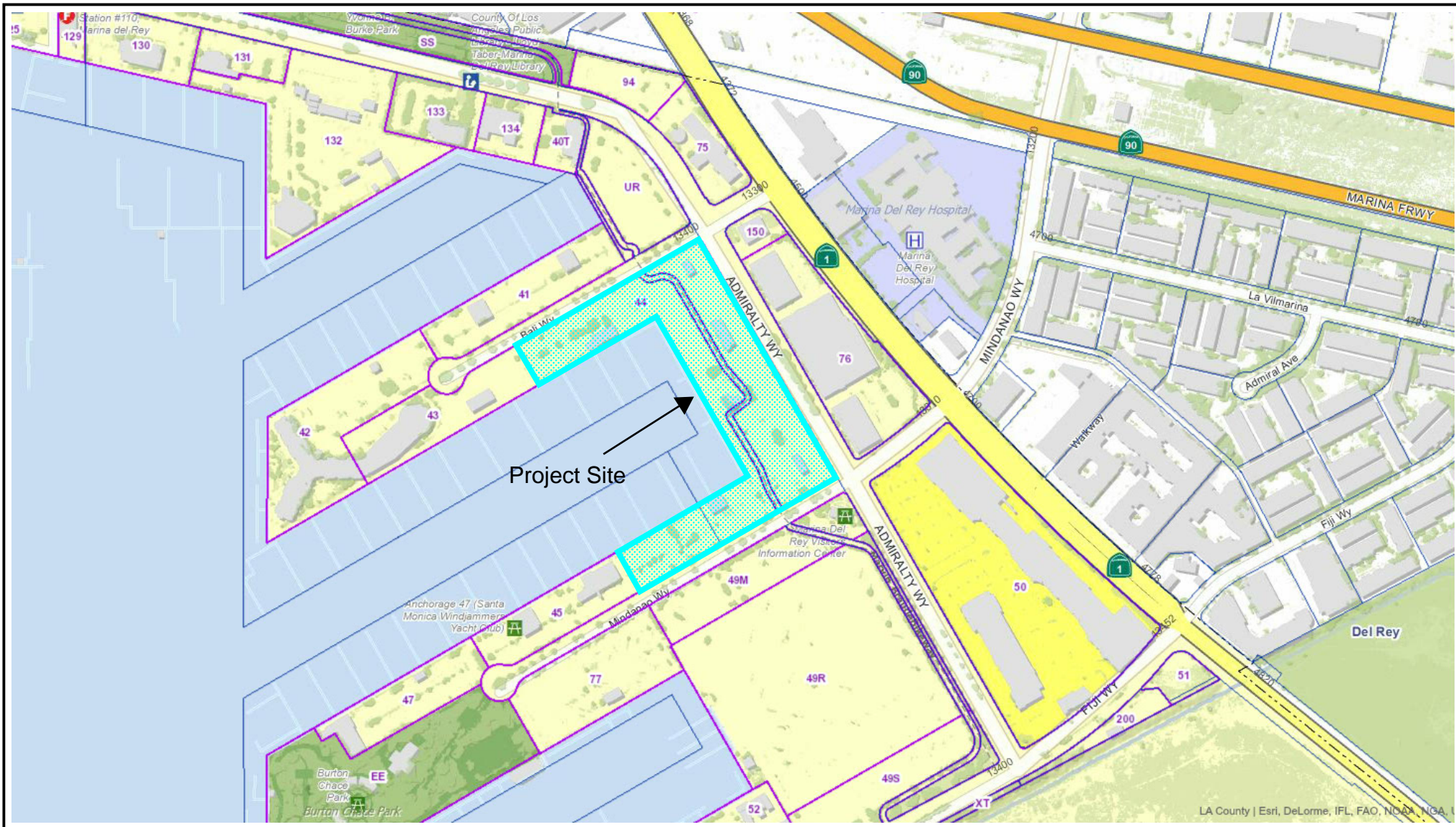
7

Project Number: R2013-01647-(4)
Coastal Development Permit No. 201300003
Case(s): Conditional Use Permit No. 201300166
Parking Permit No. 201300012
Variance No. 201300004
Planner: Environmental Assessment No. 201300142
Kevin Finkel, AICP

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☒ Environmental Documentation (EIR)
- ☒ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Design Control Board Minutes
- ☒ Hearing Examiner Public Hearing Transcript

Reviewed By: _____





Marina del Rey Lease Parcel 44

Printed: Jun 29, 2015

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Feet





Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2013-01647-(4)

HEARING DATE

August 26, 2015

REQUESTED ENTITLEMENTS

Coastal Development Permit No. 201300003

Conditional Use Permit No. 201300166

Parking Permit No. 201300012

Variance No. 201300004

Environmental Assessment No. 201300142

PROJECT SUMMARY

OWNER / APPLICANT

Pacific Marina Venture, LLC

MAP/EXHIBIT DATE

June 17, 2015

PROJECT OVERVIEW

Coastal Development Permit, Conditional Use Permit, Parking Permit, and Variance to authorize the demolition of all existing facilities, removal of existing vegetation, and the construction of the following: 1) up to 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space contained in eight (8), one- and two-story buildings of various sizes with associated signage and landscaping; 2) a parking area with 462 surface parking spaces of which 68 will be valet-managed tandem spaces and 100 bicycle parking spaces; 3) open-air boat stacking/rack system accommodating the storage of up to 56 boats; 4) 13 mast-up dry boat storage spaces; 5) new public waterfront promenade along the parcel's bulkhead; 6) realignment of the Marvin Braude Bike Path adjacent to the public waterfront promenade; and 7) a public plaza.

LOCATION

Lease Parcel 44, Marina del Rey

ACCESS

Bali Way, Admiralty Way, Mindanao Way

ASSESSORS PARCEL NUMBER(S)

4224008901, 4224010900

SITE AREA

8.39 Acres

GENERAL PLAN / LOCAL PLAN

Marina del Rey Local Coastal Program

ZONED DISTRICT

Playa del Rey

LAND USE DESIGNATION

Visitor-Serving/Convenience Commercial, Marine Commercial, Boat Storage all with Waterfront Overlay

ZONE

Specific Plan

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Environmental Impact Report – Based on the Final Environmental Impact Report, after implementation of project mitigation measures, the Project will result in significant and unavoidable impacts related to traffic/access, solid waste, and noise.

KEY ISSUES

- Consistency with the Marina del Rey Local Coastal Program
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.2320 (Coastal Development Permit Burden of Proof Requirements)
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.1020 (Parking Permit Burden of Proof Requirements)
 - 22.56.290 and 22.46.1070 (Variance Burden of Proof Requirements)

CASE PLANNER:

Kevin Finkel

PHONE NUMBER:

(213) 974-4854

E-MAIL ADDRESS:

kfinkel@planning.lacounty.gov

ENTITLEMENTS REQUESTED

- Coastal Development Permit (“CDP”) Number 201300003 to authorize: 1) demolition of all existing facilities and removal of existing vegetation from the development area; 2) construction of up to 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space contained in eight (8) buildings, with associated parking, signage, and landscaping; 3) open-air dry boat storage for up to 56 boats and mast up storage for up to 13 boats; 4) a 28-foot-wide public waterfront promenade; 5) the realignment of the Marvin Braude Bike Path through the project site; and 6) a public plaza in the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage Land Use Categories with a Waterfront Overlay Zone pursuant to County Code Section 22.46.1110.
- Conditional Use Permit (“CUP”) Number 201300166 to ensure consistency with the subject parcel’s “Waterfront Overlay Zone” development criteria in the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage Land Use Categories pursuant to County Code Section 22.46.1720.
- Parking Permit Number 201300012 to authorize valet-managed, commercial tandem parking arrangement and a reduction in Code-required parking in the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage Land Use Categories with a Waterfront Overlay Zone pursuant to Part 11 of Chapter 22.52 of the County Code.
- Variance Number 201300004 to authorize a two (2)-foot reduction on a portion of the Bali Way side yard setback and a seven-foot reduction on the western rear yard setback adjacent to Parcel 43 for the installation of the proposed dry boat storage racks in the Visitor-Serving/Convenience Commercial Land Use Category pursuant to County Code Section 22.46.1410.

PROJECT DESCRIPTION

The proposed development is located at 13443 Bali Way on Parcel 44 (a portion of Assessor’s Parcel Numbers 4224-008-901 and 4224-010-900) in the unincorporated community of Marina del Rey (“Project Site”). The Project Site is an approximately 8.39-acre, “U”-shaped lease parcel located in the northeastern portion of Marina del Rey. The Project Site is bound by Bali Way to the north, Admiralty Way to the east, Mindanao Way to the south, Parcel 45 to the west of the southern arm of the “U” and Parcel 43 to the west of the northern arm of the “U.”

The applicant, Pacific Marina Venture, LLC, is requesting a CDP, CUP, Parking Permit, and Variance (“Project Permits”) to authorize the demolition of all existing facilities and the removal of existing vegetation from the development area and the construction of up to 83,253 square feet development consisting of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space on the Project Site (“Proposed Project”). The various uses would be contained in eight (8) one- and two-story buildings. Buildings 1, 3, and 7 will be one story tall and will contain boater restrooms. Building 2 is anticipated to contain a Trader Joe’s (or other specialty market) and will be one story tall. Building 4 will be two stories tall and is anticipated to contain a

West Marine store on the ground floor and new and replacement office space, marine administration offices, boat broker's offices, a community room/boater lounge, and a boater restroom and laundry facility on the second floor. Building 5 will be one story tall and will contain retail and restaurant space. Building 6 will be two stories tall and will also contain retail and restaurant space. Finally, building 8 will be two stories tall and will include a new yacht club facility (for the South Coast Corinthian Yacht Club currently located on the Project Site) with an attached one-story boat repair shop and adjacent service yard. In total, the Proposed Project will provide at least 462 parking spaces in surface parking areas distributed throughout the Project Site; the Proposed Project will also provide 100 bicycle parking spaces in locations throughout the Project Site as well as along the public waterfront promenade. The Proposed Project will incorporate signage and landscaping into the design of the development.

On the western end of the northern arm of the "U," the Proposed Project will construct open-air dry boat storage racks that will accommodate up to 56 boats. The storage racks will be designed to stack up to four boats vertically in each stall; these racks will be located in two rows with one row containing three (3) stalls accommodating up to 12 boats and the other row containing 11 stalls accommodating up to 44 boats. This same area will also accommodate mast up storage for up to 13 boats.

As part of the Proposed Project, a public waterfront promenade will be constructed along the entire bulkhead of the Project Site. This segment of the public waterfront promenade will be connected to existing segments of the promenade west of the Project Site. Another component of the Proposed Project includes the realignment of the Marvin Braude Bike Path ("Bike Path"), which currently traverses the center of the Project Site in a north-south orientation. The new Proposed Project will relocate the Bike Path closer to the water adjacent to the new public waterfront. The Proposed Project will construct public plaza set between buildings 5 and 6. The public plaza will be predominantly hardscaped but will also include landscaping and other hardscape features.

Finally, the Proposed Project will upgrade infrastructure on the Project Site. Upgrades include reconstructed sidewalks along the Project Site's street fronts including seven-foot-wide sidewalks along Admiralty Way and four- to seven-foot-wide sidewalks along Bali and Mindanao Ways and bioinfiltration systems to manage on-site stormwater runoff.

SITE PLAN DESCRIPTION

The site plan depicts an approximately 8.39-acre, "U"-shaped Project Site. Ingress and egress to the Project Site is provided by 10 driveways, five (5) along Bali Way, four (4) along Mindanao Way, and one (1) along Admiralty Way. Additional pedestrian access is available to the Project Site via pedestrian pathways located at the southeastern corner of Admiralty and Bali Ways and at the northwestern corner of Admiralty and Mindanao Ways.

The site plan depicts eight (8) buildings located throughout the Project Site. These buildings contain an array of uses including commercial, retail, restaurant, office, marine

commercial, and boater- and community-serving space. In total, these buildings contain approximately 83,253 square feet of development. Building 1 (boater restroom) is located on the Mindanao Way side of the Project Site at the westernmost end of the southern arm of the “U”-shaped parcel and adjacent to the public waterfront promenade. Building 2 (Trader Joe's or other specialty market) is also located on the Mindanao Way side of the Project Site roughly midway between Admiralty Way and the westernmost edge of the Project Site and adjacent to the public waterfront promenade. Building 3 (boater restroom) is also located on the Mindanao Way side of the Project Site near Admiralty Way and just east of the realigned Bike Path and new public waterfront promenade. Building 4 (West Marine and replacement boater-serving uses and offices) is located along the Admiralty Way side of the Project Site near the Mindanao Way and just east of the realigned Bike Path and public waterfront promenade. Building 5 (retail and restaurant) is also located along Admiralty Way side of the Project Site midblock between Bali and Mindanao Ways adjacent to the Bike Path and public waterfront promenade. Building 6 (retail and restaurant) is also located along the Admiralty Way side of the Project Site near Bali Way and adjacent to the realigned Bike Path and public waterfront promenade. Building 7 (boater restroom) is located along the Bali Way side of the Project Site midblock between Admiralty Way and the westernmost edge of the northern arm of the “U”-shaped parcel and adjacent to the public waterfront promenade. Building 8 (yacht club facility) is located along the Bali Way side of the Project Site near the westernmost edge of the northern arm of the “U” adjacent to the public waterfront promenade. Adjacent to Building 8 is an associated boat repair shop and boat service yard, dry stack boat storage racks accommodating up to 56 boats, and mast up storage spaces accommodating up to 13 boats. All buildings are oriented toward the water (refer to Site Plan Sheet A-1 for building-specific square footages).

Dispersed throughout the Project Site are approximately 462 surface parking spaces as well as 100 bike parking spaces. Along the entire length of the bulkhead (approximately 1,500 feet) of the Project Site is a 28-foot-wide public waterfront promenade that connects with segments of the public waterfront promenade to the west on Parcels 43 and 45. The public waterfront promenade will incorporate a high-quality design utilizing decorative paving, railing, and lighting, landscaping, seating areas, and bicycle racks. The promenade railings will be designed to accommodate gangways used to access docks that are to be reconstructed adjacent to the Project Site.

The site plan also depicts the new alignment of the Bike Path through the Project Site. This alignment locates the Bike Path in between the public waterfront promenade and buildings 3 through 6. The Bike Path enters the northern side of the Project Site midway between Admiralty Way and the westernmost edge of the northern arm of the “U”-shaped parcel. The Bike Path also enters the southern side of the Project Site midway between Admiralty Way and the westernmost edge of the southern arm of the “U”-shaped parcel. The Bike Path will be ten (10) feet wide accommodating travel lanes in each direction. As part of the reconstructed Bike Path, the Proposed Project will upgrade the Bike Path crossings along both Bali and Mindanao Ways to improve safety, visibility, and design; the crossings are located on the northern and southern sides of the Project Site midblock west of Admiralty Way.

Finally, located between buildings 5 and 6 is a new, approximately 10,230-square-foot, public plaza consisting of hardscape and landscape elements. The public plaza will incorporate decorative paving and seating, will provide opportunities for viewing the Marinas waters through the Project Site, and will provide direct pedestrian access to the public waterfront promenade. Project landscaping and signage will be incorporated throughout the Project Site including around the proposed buildings, along the promenade, throughout the parking areas, and at prominent corners of the lease parcel.

EXISTING ZONING

Parcel 44 is zoned Specific Plan in the Playa del Rey Zoned District. Land use controls within the Marina del Rey Specific Plan area are established by the Marina del Rey Local Coastal Program ("LCP"). The LCP is comprised of two components, the Marina del Rey Land Use Plan ("LUP") and the Marina del Rey Specific Plan ("Specific Plan"), which functions as the Local Implementation Plan ("LIP"). The LUP designates the northern arm of the "U"-shaped parcel as Visitor-Serving/Convenience Commercial, the portion of the Project Site parallel to Admiralty Way as Marine Commercial, a small portion of the Project Site near the intersection of Admiralty and Mindanao Ways as Boat Storage, and the southern arm of the "U"-shaped parcel as Visitor-Serving/Convenience Commercial. The LUP also applies the Waterfront Overlay Zone to the entire parcel.

Surrounding properties are zoned as follows:

North: Marine Commercial, Water, Visitor-Serving/Convenience Commercial, Office, Open Space, Public Facilities, Parking, Commercial (City of Los Angeles)
South: Visitor-Serving/Convenience Commercial, Public Facilities, Parking, Boat Storage, Water, Open Space
East: Office, Commercial (City of Los Angeles), Visitor-Serving/Convenience Commercial
West: Open Space, Water, Visitor-Serving/Convenience Commercial, Hotel

EXISTING LAND USES

The subject property is currently developed with eight (8) existing buildings totaling approximately 14,724 square feet of development. The buildings contain office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path.

Surrounding properties are developed as follows:

North: Catalina Yacht club, wet slips, California Yacht Club, restaurant, Yvonne B. Burke Park, a bank and office building, Lloyd Taber-Marina del Rey County Library, public parking, medical office building, Marina Towers office complex, and commercial development in the City of Los Angeles
South: Waterside Shopping Center, Marina del Rey Visitors Center, public parking, Marina del Rey Boat Launch, wet slips, Burton W. Chace Park
East: Marina Towers office complex, commercial development in the City of Los Angeles, Waterside Shopping Center
West: Burton W. Chace Park, wet slips, Marina del Rey Hotel

PREVIOUS CASES/ZONING HISTORY

- Plot Plan No. 201500291 was approved in concept in 2015 for the reconstruction of the anchorage in the waterside portion of the subject parcel
- CDP No. 5-11-131 was approved by the California Coastal Commission (“CCC”) in 2012 and permitted the reconstruction of various anchorages throughout Marina del Rey including the waterside portion of the subject parcel
- Plot Plan No. 201100169 was approved in 2011 and permitted the installation of new business and directional signage for an on-site boating business
- CUP 881 was approved by the Regional Planning Commission in 1977 and permitted additions and alterations to an existing recreational yacht club facility

ENVIRONMENTAL DETERMINATION

The Los Angeles County (“County”) Department of Regional Planning has determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an Environmental Impact Report (EIR) was necessary for the Project. The areas of potential significant environmental impact addressed in the Draft EIR (DEIR) include the following:

- **Aesthetics** – Site development would alter the visual character of the Project Site to a more intensive developed use. The height and mass of the proposed buildings would represent a more observable component of the background when compared to the existing condition. However, as proposed, maximum building heights are within allowable height limits and the Proposed Project would exceed the minimum 20 percent view corridor requirements, consistent with the LCP. Further, proposed structures would be similar in scale to new structures constructed or new structures that are proposed, in construction, or that were recently completed in the Marina. The Proposed Project would not cast shadows that would impact any off-site shade sensitive uses. Structures proposed on the Project Site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. With the implementation of project design features, impacts related to Aesthetics will be less than significant.
- **Air Quality** – Construction-related daily maximum regional emissions would not exceed the South Coast Air Quality Management District’s (SCAQMD) significance thresholds during any year of construction. The Proposed Project would result in an increase in existing operational emissions, but based on the net operational emissions associated with complete build out and operation, the Proposed Project would not exceed SCAQMD significance thresholds during operation. The Proposed Project would not increase the employment population over those that have been projected for the region in 2020 and would not exceed the growth assumptions in the AQMP. Thus, the Proposed Project would be considered consistent with the air quality-related regional plans, and should not jeopardize attainment of state and federal ambient air quality standards. The Proposed Project’s impacts to air quality would be less than significant.

- **Biological Resources** – Special-status wildlife species are not considered likely to nest or otherwise depend upon resources on the Project Site for any stage of their life history. However, the proximity of the site to Burton W. Chase Park, where special-status bird species are known to nest and forage, means there is still a limited potential for nesting on-site. There is the further potential for construction noise and activities to impact nesting birds on the Park site. There are no riparian habitats or any other sensitive natural communities present on-site. However, the documented heronries at the adjacent Burton W. Chase Park would be considered habitat for sensitive species. The Proposed Project would not interfere with local or migratory fish or wildlife species or with native resident or migratory wildlife corridors. However, the rookeries identified on the adjacent Burton W. Chase Park would be considered a native wildlife nursery site. The project site is not located in a Wildflower Reserve Area, does not support any trees protected under the Los Angeles County Oak Tree Ordinance, does not occur within an SEA or SERA. However, the Marina del Rey LCP includes policies protecting colonial nesting birds. With regulatory compliance and implementation of mitigation measures, impacts would be less than significant to these areas.
- **Geology and Soils** – With the implementation of mitigation measures, the Proposed Project would not expose people or structures to adverse effects related to geologic hazards including strong seismic shaking, seismic related ground failure, and landslides. Further, project impacts related to soil erosion, on-site or off-site landslides, lateral spreading, subsidence, liquefaction or collapse, and expansive soil would be less than significant. With implementation of the required standard and comprehensive geologic and soils engineering investigation and analysis mandated by State and County requirements, specifically the current County Building Code, California Building Code, adherence to the recommendations in the Geotechnical report, and compliance and implementation of mitigation measures, impacts to Geology and Soils would be less than significant.
- **Greenhouse Gases** - The proposed project would result in short-term emissions of GHGs during construction—that is, the emissions would occur only during active construction and would cease after the Proposed Project was built. The other primary GHGs (hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) are typically associated with specific industrial sources and would not be emitted by the proposed project. Maximum construction levels are not expected to result in annual GHG emissions which exceed the threshold proposed by SCAQMD. Impacts to Green House Gas Emissions and Climate Change would be less than significant.
- **Hydrology and Water Quality** – At present, the Project Site is fully developed; ninety-seven percent of the site is covered with impervious surface consisting of asphalt parking areas and building foundations. These impervious surfaces

generate stormwater runoff containing urban pollutants. Because the Proposed Project would not result in stormwater flows or volumes that would substantially differ from existing conditions. The major source of pollution in stormwater runoff would continue to be urban contaminants that have accumulated on rooftops and other impervious surfaces, such as driveways, pedestrian walkways, and parking areas. Furthermore, the Proposed Project would be designed and operated in accordance with the County's Low Impact Development standards and other County requirements to reduce hydrology and water quality impacts. Impacts to Hydrology and Water Quality would be less than significant.

- Noise and Vibration - The noise-sensitive use nearest to the Project Site is the Marina del Rey Hotel located at the western end of Basin G, approximately 600 feet west of the Project Site. Burton W. Chace Park is located approximately 850 feet southwest of the project site (at the western end of Mindanao Way). Residential development at the eastern end of Basin C is located approximately 1,800 feet west of the Project Site, and would be the next nearest noise-sensitive use. Operational noise associated with the Proposed Project would be typical of the retail, office, and restaurant uses and would include people talking, doors slamming, and similar activities. The restaurant uses would include outdoor dining. These uses have typical noise levels of 50 to 60 decibels (dB). The outdoor dining would likely be the noisiest use; however, the buildings would be sited so as to not directly face either the residences on Basin C, the Marina del Rey Hotel, or Burton W. Chace Park. Due to the distance from the Project Site to the nearest sensitive receptor, noise generated by the uses on-site would not be perceptible. Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the one-and-a-half-year construction period. Mitigation measures for construction noise impacts would be required. Cumulative construction noise impacts could exceed County thresholds; therefore, the Proposed Project could contribute to a cumulatively considerable temporary increase in noise. With the implementation of mitigation measures impacts would be less than significant.
- Traffic and Access - The Proposed Project would result in significant operational impacts at a total of seven of the City-only or shared City/County jurisdiction study locations: Venice Boulevard and Lincoln Boulevard, Washington Boulevard and Lincoln Boulevard, Lincoln Boulevard and Marina Expressway, Lincoln Boulevard and Mindanao Way, Mindanao Way and eastbound Marina Expressway, Lincoln Boulevard and Fiji Way, and Lincoln Boulevard and Jefferson Boulevard, each during the PM peak hour only. No feasible mitigation measures exist to reduce these impacts and therefore impacts would remain significant and unavoidable. The Proposed Project would not result in any unsafe design features. A proposed new northbound left-turn to access the Project Site will adequately accommodate anticipated traffic demands without need for a traffic signal or other traffic control device. With implementation of project design features and implementation of mitigation measures construction impacts would be less than significant; however, operational impacts would remain significant

and unavoidable. Further, cumulative operational impacts at nine (9) intersections would also remain significant and unavoidable.

- Public Services

- A. Police and Fire Protection - The Proposed Project's impacts to capacity, service levels, or adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection and sheriff protection would be less than significant. It is anticipated that demands for Sheriff and Fire services would increase above current levels upon build out of the Proposed Project due to increased utilization of the site by the public and patrons; however, the increase is not anticipated to be so great as to require the permanent assignment of additional patrol cars or fire staff to Marina del Rey. Impacts to Public Services would be less than significant. No mitigation is required.

- Utilities and Service Systems

- A. Wastewater - Adequate capacity exists to treat sewage generated by the Proposed Project, and impacts on the sewage treatment system is less than significant. No mitigation is required.
 - B. Water - Project features would ensure that the Proposed Project would be adequately served by the water provider. Impacts would be less than significant and no mitigation is required.
 - C. Solid Waste - The Proposed Project would be served by a landfill with sufficient capacity. Impacts were determined to be less than significant, and no mitigation measures are necessary; however, in order to reduce the amount of solid waste created by the Proposed Project, mitigation measures are recommended to reduce the amount of project-generated solid waste disposed of at County landfills. These mitigation measures will ensure that impacts related to solid waste disposal will continue to be less than significant.

The following areas require no further environmental review as described in the Initial Study:

- Agricultural and Forest Resources
- Cultural Resources
- Energy
- Hazards and Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Population and Housing

As identified in the DEIR, after implementation of the required mitigation measures, the Proposed Project would result in the following significant adverse impacts to the environment:

- **Traffic and Access** – Buildout of the Proposed Project would result in significant and unavoidable operational impacts at seven (7) City-only or shared City/County jurisdiction study locations including: Venice Boulevard and Lincoln Boulevard, Washington Boulevard and Lincoln Boulevard, Lincoln Boulevard and Marina Expressway, Lincoln Boulevard and Mindanao Way, Mindanao Way and eastbound Marina Expressway, Lincoln Boulevard and Fiji Way, and Lincoln Boulevard and Jefferson Boulevard. No feasible mitigation measures exist to reduce these impacts. Further, buildout of the Proposed Project would result in significant and unavoidable cumulative impacts at nine (9) study locations including: Admiralty Way and Via Marina, Admiralty Way and Palawan Way, Admiralty Way and Bali Way, Admiralty Way and Mindanao Way, Washington Boulevard and Via Marina/Ocean Avenue, Washington Boulevard and Palawan Way, Lincoln Boulevard and Bali Way, Lincoln Boulevard and Mindanao Way, and Lincoln Boulevard and Fiji Way. No feasible mitigation measures exist to reduce these impacts and would remain significant and unavoidable.
- **Noise** – Noise-sensitive uses in proximity to the Project Site and along the haul route may be exposed to construction related noise, including that generated by haul trucks, that exceeds the County's Noise Control Ordinance standards. Therefore, even with the implementation of mitigation measures, temporary project-specific and cumulative impacts related to construction activities would be significant and unavoidable.
- **Solid Waste** – While existing solid waste disposal capacity has been identified to accommodate the solid waste generated by the Proposed Project, solid waste facilities are considered a finite resource and existing hazardous waste management facilities in the County are inadequate. Therefore, the cumulative increase in solid and hazardous waste generation would cause a significant and impact unless additional landfill space or other disposal alternatives are approved.

On March 4, 2015, prior to the Commission's public hearing on the Project, a Hearing Examiner public hearing was held at the Marina del Rey Hotel. The purpose of this hearing was to take public testimony on the Draft Environmental Impact Report ("EIR"). Including the applicant, approximately eight (8) individuals provided testimony and one individual asked questions of the applicant. The transcript is contained in the EIR. The applicant and the Project architect provided a description of the Project. Public comment received related to: opposition to the Project, impacts of the Project on the aesthetics of Admiralty Way, traffic resulting from the Project, noticing procedures, access for boaters, the proposed tenants, access to nearby open space, views of the water, traffic mitigation fees, the public review process, small boating opportunities, other

developments in the Marina, and the new yacht club facility incorporated into the Project.

STAFF EVALUATION

General Plan/Community Plan Consistency

The Project Site is located within the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage land use categories with a Waterfront Overlay Zone of the LUP. The Visitor-Serving/Convenience Commercial land use category is intended to provide “dining facilities, retail, and personal services and youth hostels.” The Marine Commercial land use category is intended to provide “coastal-related or coastal-dependent uses associated with operation, sales, storage, and repair of boats and marine support facilities.” The Boat Storage land use category is intended to provide “public and commercial boat launching and storage including public parking, ramps and associated launching hoists, dry boat storage, dry stack storage, boat rentals and instruction, and ancillary support commercial facilities associated with that use.” Additionally, the Waterfront Overlay Zone is intended as an overlay land use category applied to certain waterfront parcels and is intended to encourage more creative and desirable projects by allowing a mix of uses in proposed developments. Permitted uses include hotel, visitor-serving commercial, open space, boat storage, and marine commercial...regardless of the principal permitted use on the specific parcel.” The Proposed Project is relying on the Waterfront Overlay Zone to guide appropriate development on the Project Site. The Proposed Project, including the approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space, is consistent with the Waterfront Overlay Zone as the proposed uses provide visitor-serving commercial, boat storage, and marine commercial amenities on a waterfront parcel. Therefore, the Proposed Project is consistent with the permitted uses of the Waterfront Overlay Zone.

The following policies of the LUP are applicable to the Proposed Project:

A.1. Shoreline Access

- *Policy 1. Public Access to Shoreline a Priority. Maximum public access to and along the Shoreline within the LCP Area shall be a priority goal of this Plan, balanced with the need for public safety, and protection of private property rights and sensitive coastal resources. This goal shall be achieved through the coordination and enhancement of the following components of a public access system: pedestrian access, public transit, water transit, parking, bikeways, circulation network, public views and directional signs and promotional information.*

The Proposed Project includes several components that implement this policy. Buildout involves extensive public access to the shoreline by constructing a new 28-foot-wide, approximately 1,500-foot-long public waterfront promenade along the entire length of the subject parcel's bulkhead. The public waterfront promenade incorporates a design utilizing high-quality materials including decorative paving, railing, and lighting, landscaping, bicycle racks, seating areas, and gangway

entrances to adjacent docks. The public waterfront promenade will be connected to other existing segments of the public waterfront promenade to the west of Parcel 44 on the northern and southern sides of Basin G. Access to the public waterfront promenade is provided at numerous locations along the length of the bulkhead including along the segments parallel to Mindanao, Bali, and Admiralty Ways. Access to the public waterfront promenade will also be provided directly from several of the proposed retail and restaurant buildings, which are oriented toward the water. One primary access point to the public waterfront promenade is a new public plaza located along the eastern side of the Project Site between buildings 5 and 6. The plaza will provide a large area of direct pedestrian access to the promenade and the waterfront from the portion of the Project Site containing the proposed retail, restaurant, and commercial buildings.

The Proposed Project will provide extensive visual access to the shoreline through the provision of view corridors. A total of nine (9) view corridors will be incorporated into the design of the Proposed Project providing visual access to the Marina's waters through the Project Site from the surrounding roadways. These nine (9) view corridors will provide visual access across approximately 55 percent of the subject parcel's frontage.

The Proposed Project will also realign the segment of the Bike Path that traverses a central parking area across Project Site. The new alignment will locate the Bike Path in between the public waterfront promenade and several of the proposed buildings parallel to Admiralty Way just offset from the bulkhead. This alignment provides physical access to both the public waterfront promenade and several of the proposed commercial, retail, restaurant, office, marine commercial, and boater- and community-serving buildings and also provides visual access to the Marina's waters along most of its length across the Project Site.

Finally, the Proposed Project is conditioned to incorporate wayfinding signage into the design of the development to direct visitors on the site to the public waterfront promenade and other public viewing areas.

- *Policy 3. All development in the existing Marina shall be designed to improve access to and along the shoreline. All development adjacent to the bulkhead in the existing Marina shall provide pedestrian access ways, benches and rest areas along the bulkhead, except where safety may be compromised, such as boatyards, dry stack storage facilities, launch ramps and public and private hoists or small craft staging areas, as well as sheriff, fire, and lifeguard facilities.*

The Proposed Project will construct a 28-foot-wide public waterfront promenade that lines the entire length of the subject parcel's bulkhead (approximately 1,500 feet long). This promenade will connect to existing segments of the public waterfront promenade on adjacent properties to the west on the northern and southern sides of Basin G. The Proposed Project will install new decorative paving, railing, and lighting, landscaping, benches, bicycle racks, seating areas, and gangway gates. The Proposed Project will provide several access points to the public waterfront

promenade through the Project Site for use by both the public and patrons of the on-site businesses. Access will be provided along all segments of the bulkhead including the northern and southern arms of the “U”-shaped parcel. Access points will be provided from: parking areas, between proposed buildings, public plaza, and directly from retail and restaurant facilities adjacent to the public waterfront promenade.

A.2. Recreation & Visitor-Serving Facilities

Recreation and Visitor-Serving Uses

- *Policy 2. As defined by the Coastal Act and specified in the specific design guidelines for each parcel in the Local Implementation Program, new development shall provide additional recreational opportunities including trails, bikeways (additions and/or extensions of existing bike path), open space/park areas and viewing areas as appropriate. Adequate support facilities (bike storage lockers, drinking fountains, etc.) shall also be provided.*

The Proposed Project will construct a 28-foot-wide public waterfront promenade along the entire bulkhead length of Parcel 44 (approximately 1,500 feet) adjacent to Basin G. The promenade will accommodate various recreational opportunities and will include amenities such as seating areas, bicycle racks, and decorative landscaping. Access will be provided along all segments of the bulkhead including the northern and southern arms of the “U”-shaped parcel. Access points will be provided from: parking areas, between proposed buildings, the public plaza, and directly from retail and restaurant facilities adjacent to the public waterfront promenade.

Additionally, the Proposed Project will realign and improve the portion of the Bike Path that traverses the Project Site. Presently, the Bike Path enters the Project Site on the northern and southern sides via shared bike and vehicular ingress/egress. Through the Project Site, the Bike Path meanders through parking areas in the center of the Project Site. The Proposed Project will realign the Bike Path such that it takes a direct path from the Bali Way edge to the Mindanao Way edge of the Project Site. The realignment will be located adjacent to and in between the expanded public waterfront promenade and the proposed buildings along the Admiralty Way frontage. Further, the Proposed Project will improve the Bike Path crossings along on the northern and southern sides of the Project Site midblock west of Admiralty Way across Bali and Mindanao Ways. These crossings are intended to improve safety, visibility, and design.

Finally, the Proposed Project will construct an approximately 10,230-square-foot public plaza between buildings 5 and 6. This plaza will provide decorative paving and other hardscape features, seating, landscaping, and stadium seating adjacent to the public waterfront promenade, and visual access to the Marina's waters.

- *Policy 4. Lower cost visitor-serving facilities shall be protected and, to the extent feasible, new lower cost visitor-serving uses shall be encouraged and provided*

within the existing Marina. For the purposes of this policy, low or not cost visitor-serving facilities include but are not limited to parks, promenades, transient docks, open public plazas and seating areas, wildlife viewing areas, WaterBus transportation, public transit transportation, and special events.

The Proposed Project incorporates several low-cost visitor-serving facilities. First, the Proposed Project will construct an expanded public waterfront promenade. This public waterfront promenade will be constructed to 28 feet in width and will incorporate decorative paving, railing, and lighting, landscaping, bicycle racks, seating areas and new dock gangways.

Additionally, the Proposed Project will incorporate a realigned Bike Path. The realignment will take a direct path from the Bali Way edge to the Mindanao Way edge of the Project Site. The realignment will be located in between the public waterfront promenade and the proposed buildings parallel to the Admiralty Way frontage. This realignment will improve the bicycling environment along this segment of the Bike Path allowing for a more efficient path of travel through the Project Site and providing expanded views of the Marina's waters for cyclists. The Proposed Project will also construct a large public plaza situated between several of the retail and restaurant buildings. This plaza will provide decorative paving and other hardscape features, seating, landscaping, and stadium seating adjacent to the public waterfront promenade, visual access to the Marina's waters and will provide direct access to both the public waterfront promenade and the Bike Path as well as visual access to the Marina's waters in Basin G. Finally, though not part of this entitlement request, the docks adjacent to this lease parcel will be reconstructed and will incorporate transient slips, dingy tie-up areas, and a future WaterBus stop to serve boaters, users of the proposed on-site uses, and this portion of the Marina.

- *Policy 7. The use of parking structures can enhance capacity but also reduce pollutant contribution to Marina waters that are associated with open parking lots. Parking facilities shall be integrated into the overall design of all development and landscaped to soften their visual appearance. Parking shall be located either below grade, or within multi-story structures, or, if on a level grade shall be attractively designed with a buffer of landscaping, berms or other screening materials. To enhance the visitor experience in Marina del Rey, parking facilities shall include posted public information, including maps and other wayfinding signs and resources.*

The Proposed Project will provide parking in surface parking areas located throughout the Project Site. The Proposed Project will install trees and other landscaping throughout these parking areas in landscaping strips along the Project Site fronts buffering views of the parking areas from point outside the Project Site. This landscaping includes two landscaping strips flanking either side of the public sidewalks along the Mindanao Way and Admiralty Way frontages and a single landscaping strip along the Bali Way frontage and range in width from four (4) feet to eight (8) feet. In addition to landscaping, the Proposed Project is conditioned to

require the installation of wayfinding signage directing visitors to the Project Site to both on-site and off-site visitor-serving amenities and the parcel's waterfront.

A.3. Recreational Boating

- *Policy 1. **Recreational Boating a Top Priority.** Recreational boating shall be emphasized as a priority use throughout the planning and operation of the Marina. To help achieve this goal, the Plan shall strive to ensure that adequate support facilities and services are provided including, but not limited to, the following: boat slips, a fueling dock, boat repair yards, boat dry storage yards, launch ramps, boat charters, day-use rentals, equipment rentals and on-going maintenance of the marina harbor and entrance channel, bulkhead repair, pollution control, safety and rescue operations, and sufficient parking for boaters. Emphasis shall be given to providing water access for the small boat owner through provision of public ramp facilities.*

The Proposed Project will develop a number of recreational boating support facilities on the Project Site. These include three stand-alone boater restroom buildings, a boater restroom and laundry facility incorporated into one of the retail buildings, and a boater lounge/community room also incorporated into one of the retail buildings. Additionally, the Proposed Project is incorporating space to accommodate a new yacht club facility and support facilities including a boat repair shop, service yard, and dry storage spaces. Finally, though not part of this entitlement request, the docks adjacent to this lease parcel will be reconstructed and will incorporate transient slips, dinghy tie-up areas, and a future WaterBus stop to serve boaters and users of the proposed on-site uses. The new decorative railings along the public waterfront promenade will incorporate connection points for gangways to access the WaterBus stop.

- *Policy 5. Additional boat storage facilities may be developed within Marina del Rey. Deck storage (storage of small day-use sailboats on a floating dock) for sailboats may be constructed on a portion of Parcel 49 and dry stack storage may be constructed on Parcels 44 and 53 or on other parcels with a marine commercial or visitor-serving commercial designation, as long as view corridors are complied with and adequate private parking is available. A parking analysis demonstrating adequate independent or shared parking shall accompany project.*

The Proposed Project will incorporate dry stack storage spaces able to accommodate up to 56 boats along the western edge of the northern arm of the "U"-shaped parcel. In this same area, space will be provided to accommodate up to 13 mast-up storage spaces. Additionally, the Proposed Project will provide a total of nine (9) view corridors throughout the Project Site providing visual access from the surrounding roadways and the Project Site to the Marina and its waters. These nine (9) view corridors will provide visual access across approximately 55 percent of the subject parcel's frontage, in excess of the minimum 20 percent requirement. Therefore, the incorporation of the identified boat storage racks will not impact the provision of adequate view corridors.

- *Policy 8. The County intends to expand boating-related support facilities, where feasible, particularly on Parcel 44 for dry stack storage, on Parcel 52 for mast-up and dry stack storage, and increased area for kayak and outrigger canoe launching on Marina Beach as well as a dock at Parcel 77 in conjunction with the Chace Park expansion.*

The Proposed Project will incorporate dry stack storage spaces able to accommodate up to 56 boats along the western edge of the northern arm of the “U”-shaped parcel. In this same area, space will be provided to accommodate up to 13 mast-up storage spaces. Additionally, the Proposed Project will develop a number of recreational boating support facilities on the Project Site. These include three stand-alone boater restroom buildings, a boater restroom and laundry facility incorporated into one of the retail buildings, and a boater lounge/community room also incorporated into one of the retail buildings. Additionally, the Proposed Project is incorporating space to accommodate a new yacht club facility and support facilities including a boat repair shop and service yard. The dry stack storage and boater-related uses will facilitate the development of boating-related support facilities as envisioned by this policy.

B.4. Marine Resources

- *Policy 2. All development shall include measures consistent with the Santa Monica Bay Restoration Plan and the programs of the Department of Public Works to reduce contaminated runoff into bay and Ballona Creek waters, including filtration of low flows, control and filtration of runoff from parking lots and roofs, reduction of impervious surfaces, and provision of pump out facilities, and other necessary measures to reduce harmful pollutants from storm drain waters prior to these waters entering the marina.*

The Project Site will be graded to sheet flow away from the bulkhead and toward new stormwater infrastructure. The Proposed Project will install new catch basins and storm drains on the Project Site and will collect and convey stormwater away from proposed structures. The Proposed Project will incorporate two single connections to an existing 60-inch storm drain; one connection will cover the northern portion of the Project Site and one connection will cover the southern portion of the Project Site. Additionally, the Proposed Project will construct bioinfiltration areas to capture runoff and percolate this runoff through engineered soil and allow it to discharge downstream slowly. These bioinfiltration areas include planted pavement that will capture surface runoff fed by the on-site catch basins.

B.5. Important Biological Resources

- *Bird-Safe Building Policies. All new buildings, and major renovations of existing buildings, shall be required to provide bird-safe building façade treatments in order to reduce potential for bird strikes.*

The Proposed Project is conditioned to require that all final materials and lighting used in the construction and operation of the various visitor- and boater-serving, community, and marine commercial uses and accessory facilities are treated and operated to reduce potential for bird strikes.

- *Policy No. 34 – Marina del Rey Leasehold Tree Pruning and Tree Removal Policy. To establish guidelines within Marina del Rey for the pruning and removal of trees in accordance with the federal Migratory Bird Treaty Act and California Fish and Game Code, and to ensure the long-term protection of breeding, roosting and nesting habitats of federal and state-listed species, California Species of Special Concern, and colonial waterbirds. To provide Lessees with guidelines and procedures for tree pruning and/or tree removal on leaseholds located in Marina del Rey in consideration of the colonial waterbird species, as the term is defined in Section 4.12 of this policy, and the desire to reduce or eliminate impacts to their nesting habitats.*

A preliminary tree survey was conducted of the Project Site and the adjacent road medians to identify the presence of trees. The survey identified 103 trees on the Project Site and 24 trees in the medians along Mindanao, Admiralty, and Bali Ways. The specimens identified are a mix of 13 species of which none are considered native to the area and several are considered invasive; only light guano staining was found underneath the surveyed trees suggesting that this area is not used for nesting or significant roosting.

Because the Proposed Project will completely redevelop the entirety of Parcel 44, all 103 of the trees identified on the Project Site will be removed. Additionally, in order to accommodate numerous road improvements including the removal or reconstruction of road medians directly adjacent to the Project Site, 24 median trees along Mindanao, Admiralty, and Bali Ways will be removed. The Proposed Project is conditioned to require compliance with the tree trimming and removal policies of the LCP in order to preclude impacts to any nesting birds that may exist on the Project Site or in a street median. Further, the Proposed Project is conditioned to comply with the tree replacement requirements of the LCP. The landscaping concept developed for the Proposed Project will see the planting of 238 trees across the Project Site with additional trees planted in the medians. The planting palette includes a variety of species that are considered appropriate for a coastal environment, are drought tolerant, and are not considered invasive. The number of trees proposed for planting is greater than the one-to-one replacement ratio required by the LCP.

C.8. Land Use Plan

- *Policy 1. **Preservation of the Small Craft Harbor facility a Priority.** The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities.*

The Proposed Project will be located on Parcel 44 adjacent to the bulkhead along Basin G on the northeastern side of Marina del Rey. Presently, the Project Site is developed with eight (8) existing buildings totaling approximately 14,724 square feet of development. The buildings contain office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. All existing uses will be demolished to accommodate the Proposed Project. The Proposed Project will construct approximately 83,253 square feet of development that will accommodate commercial, retail, restaurant, office for boating-related uses, marine commercial, and boater- and community-serving space, a public plaza, a new public waterfront promenade, a realignment of the Bike Path, and dry boat storage racks. While existing uses will be displaced by the Proposed Project, the proposed uses will increase the amount of space dedicated to similar uses included in the Proposed Project and improve on the quality of space used for these recreational and visitor-serving opportunities. Included in these uses is a new yacht club facility with associated boat repair shop and service yard, dry stack storage spaces accommodating up to 56 boats, and mast-up storage spaces accommodating up to 13 boats.

Buildout of the Proposed Project involves the provision of numerous points of public access to the shoreline with the construction of a 28-foot-wide public waterfront promenade that incorporates high quality materials including decorative paving railing, and lighting, landscaping, bicycle racks, and seating areas at numerous points along its length. The public waterfront promenade will be connected to other existing segments of the public waterfront promenade to the west of Parcel 44 on the northern and southern sides of Basin G and will provide bicycle racks and eight feet of landscaping. Additionally, the Proposed Project will realign the Bike Path through the Project Site. The realignment will take a direct path from the Bali Way edge to the Mindanao Way edge of the Project Site. The realignment will be located adjacent to and in between the public waterfront promenade and the proposed buildings along the Admiralty Way frontage. This realignment will improve the bicycling environment along this segment of the Bike Path allowing for a more efficient path of travel through the Project Site and provide expanded views of the Marina's waters. Further, the Proposed Project will improve the Bike Path crossings along on the northern and southern sides of the Project Site midblock west of Admiralty Way across Bali and Mindanao Ways. These crossings are intended to improve safety, visibility, and design.

- **Policy 4. Design Control Board.** *The Design Control Board (DCB), appointed by the Board of Supervisors, shall review all new development proposals, including renovations, for consistency with the Manual for Specifications and Minimum Standards of Architectural Treatment and Construction, the Statement of Aims and Policies and the Revised Permanent Sign Controls and Regulations.*

The Design Control Board shall conduct a conceptual review of the architectural design (i.e. building and façade design) and site planning during the Coastal Development Permit process. Any Design Control Board recommendations to the Regional Planning Commission or Hearing Officer shall be submitted in a timely

fashion. Following the Regional Planning Commission's or Hearing Officer's action on Coastal Development Permits, the Design Control Board will have final review of architectural design (i.e. building and façade design, materials, colors), landscaping and signs based on the site plan approved by the Regional Planning Commission or Hearing Officer.

The DCB recommended approval of the preliminary site plan at its July 16, 2013 meeting. The Proposed Project, if approved by the Commission, will be required to submit to DCB for final design review. Please refer to the full DCB discussion later in this staff report.

C.9. Coastal Visual Resources

- *Policy 1. **Views of the Harbor a Priority.** Maintaining and enhancing views of the Marina shall be a priority goal of this plan. Enhancing the ability of the public to experience and view the Marina waters shall be a prime consideration in the design of all new, modified or expanded development. This goal shall be achieved by placing conditions on permits for new development to enhance public viewing, to allow for greater public access, and to create new view corridors of the waterfront.*

The Proposed Project will construct a new segment of a public waterfront promenade to 28-feet-wide along the entire length of the bulkhead of Parcel 44, approximately 1,500 feet in length. The public waterfront promenade will provide unobstructed views of the Marina's waters and will provide an improved experience over existing Project Site conditions, which does not presently have a defined promenade, including installing decorative paving, railing, and lighting, landscaping, bicycle racks, and seating areas.

Access to the public waterfront promenade is provided at numerous locations along the length of the bulkhead including along the segments parallel to Mindanao, Bali, and Admiralty Ways. Access to the public waterfront promenade will also be provided directly from several of the proposed retail and restaurant buildings, which are oriented toward the water. One such area to access to the public waterfront promenade is a new public plaza located in between several proposed buildings and adjacent to the public waterfront promenade. The plaza will provide a large area of direct pedestrian access to the promenade as well as unobstructed views of the Marina's waters from the eastern side of the Project Site containing the larger retail and restaurant buildings.

The Proposed Project will provide extensive visual access to the shoreline through the provision of view corridors. A total of nine (9) view corridors will be incorporated into the design of the Proposed Project providing visual access from the surrounding roadways and the Project Site to the Marina and its waters. These nine (9) view corridors will provide visual access across approximately 55 percent of the subject parcel's frontage.

Zoning Ordinance and Development Standards Compliance

Pursuant to Part 3 of Chapter 22.46 of the County Code, establishments in the Marina del Rey Specific Plan area are subject to the following development standards:

- **Section 22.46.1060 – Communitywide design guidelines.**

A. Landscaping. *Landscaping shall include trees and shrubbery, with adequate ground cover to protect the soil. Landscaped borders used to shield obtrusive uses shall have a minimum width of eight feet and shall consist of vegetation of sufficient density to hide the use. Landscaping along site perimeters shall have a minimum width of eight feet and shall allow visual access into the lot, except where the landscaping is being used to screen an obtrusive use. These standards shall be implemented in a manner consistent with all other provisions of the certified LCP to encourage unique site design. Layout, components, and quantity of landscaping for development in the existing Marina shall be subject to approval by the design control board.*

The Proposed Project will incorporate landscaping along the northern, eastern, and southern perimeters of the Project site and will include a mixture of trees, shrubs and groundcover. Planting areas along Mindanao and Admiralty Ways are split into two strips flanking the public sidewalk and planting areas along Bali Way are located in strip behind the public sidewalk. In order to maintain visual access into and through the lot and implement off-site road improvements consistent with the provisions and requirements of the LCP, these landscaped strips range in width from three feet six inches to 11 feet, consistent with this requirement.

B. Lot Coverage. *Lot coverage by buildings, shall be limited as otherwise restricted in the Specific Plan, and shall not exceed 90 percent of the net lot area; a minimum of 10 percent of the net lot area shall be landscaped.*

The Proposed Project is located on Marina del Rey Lease Parcel 44. The parcel is approximately 8.39 acres in area and the Proposed Project will redevelop the entirety of the parcel; however, the eight (8) buildings proposed will cover only 62,915 square feet of the Project Site (approximately 1.44 acres). As such, the development area of the Proposed Project will cover approximately 17 percent of the Project Site area. In total, the Proposed Project will include approximately 56,203 square feet of landscaped areas. As the Project Site is approximately 365,468 square feet, this amount of landscaping exceeds the minimum 10 percent requirement (or a minimum of 36,547 square feet).

C. Parking. *Parking standards in Marina del Rey shall be set forth in Part 11 of Chapter 22.52 and Appendix 3 of this Title 22.*

Part 11 of Chapter 22.52 and the Marina del Rey LCP requires the provision of 505 parking spaces to serve the various uses included in the Proposed Project. Additionally, the Proposed Project is providing at least 100 bicycle parking

spaces. Because of this allocation, the Proposed Project is permitted to reduce the required on-site parking by 25 spaces. Thus, the Proposed Project is required to provide 480 spaces. In total, the Proposed Project will provide 462 parking spaces in surface parking areas located throughout the Project Site. Of this total, 258 will be standard size spaces, 184 will be compact spaces, and 20 will be handicap accessible spaces; the 184 compact spaces is consistent with the maximum 40 percent compact space allocation requirement and the 20 handicap accessible spaces is in excess of the seven (7) handicap spaces that are required for this project.

The total number of spaces proposed is below code requirements and the applicant is requesting a parking permit to allow a reduction in the amount of parking from 480 to 462. Further, the Parking Permit request will also cover a valet-management system to allow for 68 of the parking spaces to be provided in a tandem arrangement. To support the reduction in required on-site parking, a shared parking analysis was performed to identify expected parking demand on the Project Site. The results of this analysis indicate that weekday peak demand for on-site parking would be approximately 457 spaces and weekend peak demand would be 398 spaces. Thus, the shared parking analysis indicates that peak demands would be below the proposed number of parking spaces and the proposed 462 spaces would adequately serve the on-site uses. With the granting of the requested Parking Permit and the use of a valet-system, the reduced on-site spaces and tandem parking arrangement is considered consistent with applicable parking requirements.

Finally, the Proposed Project is required to provide loading spaces for each commercial building other than the restrooms and yacht club facility. The site plan depicts loading areas capable of accommodating needed loading space to facilitate the operation of the proposed on-site businesses. Thus, the Proposed Project is consistent with this development standard.

In addition to the code required parking allocation, the LCP requires that the Proposed Project determine the appropriateness of utilizing on-site parking for shoreline access and recreational uses during peak visitation periods that coincide with nonpeak office/commercial working hours. In a letter dated November 2013, DBH recommended not including shared parking facilities in the design of the Proposed Project. Thus, the Proposed Project has met this requirement.

D. Signs. *Signs shall be as detailed as possible without becoming unreadable. The DCB specifically regulates signs in the existing Marina through the application of standards set forth in the Board's Revised Permanent Sign Controls and Regulations, a section of the Manual for Architectural Standards, certified in 1990 as Appendix C. Signs shall also be regulated by the provisions of Part 10 of Chapter 22.52 of this Title 22 and the design control board's Revised Permanent Sign Controls and Regulations of September 16, 1971 (Appendix C). In the event of a conflict between the*

design control board's requirements and Title 22, the most restrictive standard shall prevail. Each land use category set out in this Specific Plan shall be subject to the sign standards for a comparable zone designated in Section 22.12.010 of this Title 22. Comparable zones shall be assigned according to the following chart, except that off-premises or outdoor advertising signs shall be prohibited. Marine Commercial shall be equivalent to the C-3 zone.

The entitlement request for a CDP includes the installation of project-related signage along the perimeter of the Project Site, at access points, within the development, and along the promenade. The Proposed Project is conditioned to submit a sign program consistent with the requirements of the Revised Permanent Sign Controls and Regulations to the DCB and the Department of Regional Planning for review and approval, consistent with this requirement.

E. 1. Site Planning. *Planes of the exterior building walls should vary in depth and/or direction to avoid bulk and monotony, and should relate closely to the pedestrian promenade. Building placement and design shall avoid long, continuous blocking of water views.*

The Proposed Project will construct eight (8) buildings of various sizes, heights, and bulk. The structures will be distributed throughout the Project Site and will not be structurally connected. View corridors are provided between these buildings in an amount that crosses approximately 55 percent of the subject parcel. As such, this arrangement of buildings avoids long and continuous blocking of water views. All structures will be oriented toward the Marina's waters and the pedestrian promenade, consistent with this requirement.

E. 2. View Corridor Requirements. *Parcels located between the water and the first public road shall provide a view corridor allowing uninterrupted views of the harbor from the road to the waterside, at ground level. The design, location and feasibility of view corridors shall be determined by the director and shall be based on the distance from the first public road to the bulkhead, the parcel's land use category, configuration and the intensity of development allowed by the Specific Plan. Where a view corridor is physically feasible, the optimum width of such a view corridor shall be a minimum of 20 percent of the water frontage of the site.*

The Proposed Project is located on Marina del Rey Lease Parcel 44. The Proposed Project will develop approximately 83,253 square feet of development contained in eight (8) buildings located throughout the Project Site. The Project Site has a bulkhead length of approximately 1,528 linear feet. A minimum 20 percent view corridor requires a view corridor that crosses at least 306 linear feet of the subject parcel's width. The Proposed Project provides 9 view corridor segments that cross approximately 843 total feet, or 55 percent, of the subject parcel's width, exceeding this requirement.

F. 2.a. Multi-story Buildings. *Emergency access (or clear zones) on the lateral sides of all multi-story buildings shall be required to be a width of 28 feet, subject to Fire Department determination. A lesser width may be approved where the Fire Department finds such width provides sufficient emergency access; a greater width may be approved where the Fire Department finds such width to be necessary for the provision of adequate emergency access. This emergency access requirement may concurrently apply to 20-foot-wide pedestrian promenades consistent with subsection F.2.b of this section. Where a building is not more than 10 feet from the edge of a road, the roadway may serve as the required access area for that side of the building. Clear zones provided on the sides of buildings may count toward any linear view corridor requirements for buildings located between the first public road and the sea.*

The Proposed Project is comprised of eight (8) buildings ranging in height from one story to two stories. Fire access to the proposed structures is provided in numerous places throughout the Project Site and adjacent to all proposed buildings. Fire access lanes range in width from 20 feet to 28 feet and are consistent with identified Los Angeles County Fire Department needs for this project.

F. 2.b. Multi-story Buildings. *The pedestrian promenade and Fire Department access road may be used for dual functions provided that the Fire Department maintains unimpeded access on no less than 20 feet of all pedestrian promenades at all times. These promenades shall be no less than 28 feet wide to allow benches, trash containers, shade structures, and other pedestrian amenities on the seaward-most eight feet of the promenade. The remainder of the promenade shall conform to fire access road requirements and shall be a minimum of 20 feet wide clear to the sky, with no benches, planters, or fixed objects. As an alternate configuration, the Director, in conjunction with the Fire Department, may approve a 20-foot-wide clear pedestrian/fire access road with a series of 10-foot wide improved viewpoints no less than 150 feet apart. These viewpoints shall be located adjacent to the bulkhead line. In either configuration, turn radii shall be approved by the Fire Department.*

The Proposed Project, located on Lease Parcel 44, will include a new public waterfront promenade 28 feet wide. The public waterfront promenade will incorporate decorative paving, railing, and lighting, eight feet of landscaping, bicycle racks, and seating areas. The design of the public waterfront promenade and the arrangement of these amenities are such that at least 20 feet will remain free and clear along its entire length, consistent with identified Los Angeles County Fire Department needs for this project.

- **Section 22.46.1090 – Land use monitoring and phasing.**

3. *Transportation Improvements. Expanded transportation facilities should accompany additional development in Marina del Rey and, approval of development projects in the Marina will be contingent upon the developers' fair share payment of trip fees to fund the improvements. Said trip fees will be dependent upon the number of additional p.m. peak-hour trips generated by the project and the established cost per trip.*

As part of the Proposed Project, new access via a proposed Admiralty Way driveway will result in the construction of a new left-turn pocket in the Admiralty Way median island. Additionally, the traffic analysis prepared for the Proposed Project found that the proposed uses would result in the generation of 411 net new pm peak hour trips. Based on this trip generation, Mitigation Monitoring and Reporting Program for the Proposed Project requires the applicant to pay \$2,338,590 in fair share traffic impact mitigation fees related to the generation of this number of peak trips. The Proposed Project is consistent with this requirement.

- **Section 22.46.1410 – Visitor-Serving/Convenience Commercial – Development Standards.** The following standards apply to the portions of the Proposed Project located on the northern and southern arms of the “U”-shaped Project Site.

Height. Building height is limited to a maximum of 45 feet;

The LCP limits height on Project Site to 45 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan allows height to reach up to 75 feet with the provision of an expanded view corridor. None of proposed structures or dry stack storage racks on the northern arm of the “U”-shaped parcel exceed a maximum height of 45 feet. Further, none of the structures on the southern arm of the “U” exceed a maximum height of 33 feet. Therefore, all proposed structures located within this land use category are consistent with the height limitation established on the Project Site.

Setbacks. Front, rear and sideyard setbacks shall be a minimum of 10 feet in addition to the required highway setback. View corridors, public open space areas and/or accessways or emergency accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;

The Proposed Project will provide a 15-foot southerly side yard setback, a 10-foot northerly side yard setback along a portion of the Bali Way frontage, a 20- to 28-foot- rear yard setback on the southerly arm of the “U,” and a three (3)-foot rear yard setback on the northerly arm of the “U.” However, the applicant is requesting a variance to reduce required side and rear yard setbacks to eight (8) feet along a portion of the Bali Way frontage and three (3) feet adjacent to Lease

Parcel 43, respectively. With this granting of the variance, the Proposed Project will be consistent with this requirement.

Visitor-Serving/Convenience Commercial Uses. Visitor-Serving/Convenience Commercial uses shall not reduce the amount of land area devoted to existing visitor-serving, boating, or coastal-dependent marine commercial uses, and visitor-serving uses may be integrated vertically with recreational boating uses where possible.

The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path, an increase from existing amounts of comparable development. Therefore, the Proposed Project is consistent with this requirement.

- **Section 22.46.1450 – Marine Commercial – Development standards.** The following standards apply to the portion of the Proposed Project located on the part of the Project Site between Bali Way and Mindanao Way and parallel to Admiralty Way.

Height. Building height is limited to a maximum of 45 feet, except that dry stack storage uses may be allowed a maximum of 75 feet when allowed by the Site-Specific Development Guidelines.

The LCP limits height on Project Site to 45 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan allows height to reach up to 75 feet with the provision of an expanded view corridor. Of the buildings proposed within on this portion of the Project Site, the tallest would reach 65 feet tall. In order to achieve this height, the Proposed Project must provide an approximately 33 percent view corridor across the subject parcel. As the Proposed Project is providing a view corridor that covers approximately 55 percent of the Project Site, the Proposed Project provides adequate view corridors to achieve greater building height, consistent with this requirement.

Setbacks. Front, rear and side yard setbacks shall be a minimum of five feet, in addition to the required highway and promenade setbacks;

The Proposed Project will provide a front yard setback that ranges in depth from 16 to 19 feet, a northerly side yard setback that ranges in depth from 16 to 18 feet, and a promenade setback of at least 8 feet six inches. As there is no applicable highway setback, the Proposed Project is consistent with this requirement.

Marine Commercial Uses. Marine Commercial uses shall not reduce the amount of land area devoted to existing visitor-serving, boating, or coastal-dependent marine commercial uses.

The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path. Therefore, the Proposed Project is consistent with this requirement.

- **Section 22.46.1490 – Boat Storage – Development standards.** The following standards apply to the portion of the Proposed Project located at the corner of Admiralty Way and Mindanao Way.

Height. Building height is limited to a maximum of 25 feet, except that dry stack storage uses may be allowed a maximum of 75 feet when allowed by Site Specific Development Guidelines;

The LCP limits height on Project Site to 25 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan allows height to reach up to 75 feet with the provision of an expanded view corridor. Only one building is proposed on this portion of the Project Site, and it would reach 10 feet tall. Therefore, the Proposed Project is consistent with this requirement.

Setbacks. Front, rear and side yard setbacks shall be a minimum of five feet, in addition to the required highway setback;

The Proposed Project will provide a front yard setback that ranges in depth from 16 to 18, a southerly side yard setback that is 15 feet, six inches, and a promenade setback that is eight (8) feet. As there is no applicable highway setback, the Proposed Project is consistent with this requirement.

Boat Storage Uses. Boat Storage uses shall not reduce the amount of land area devoted to the existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and public access;

The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard,

numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path. Therefore, the Proposed Project is consistent with this requirement.

- **Section 22.46.1730 – Waterfront Overlay Zone – Development standards.**

Development standards in the Waterfront Overlay Zone shall be equivalent to the standards of the respective primary land use categories in this chapter. Development permitted by the Waterfront Overlay Zone must be consistent with the development standards of the primary land use category which permits the use. The Site-Specific Development Guidelines shall also apply and shall supersede the land use category standards when the standards differ. See above analysis for consistency with applicable land use category development standards.

Mixed Use Projects. Mixed Use projects permitted by the Waterfront Overlay Zone shall not reduce the amount of land area devoted to existing visitor-serving, boating or marine commercial uses;

The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path. Therefore, the Proposed Project is consistent with this requirement.

- **Section 22.46.1870 – Bali Area (Map 13) – Site Specific Development Guidelines**

Required public improvements. A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

The Proposed Project will construct a new 28-foot-wide public waterfront promenade. The public waterfront promenade will include higher quality materials including decorative paving, railing, and lighting as well as landscaping, seating, bicycle racks, and new gangway connections. Additionally, the public waterfront promenade will be designed to accommodate gangways used to access docks adjacent to the Project Site. This improved and expanded public waterfront promenade will be connected to other existing segments of the promenade to the west of the project site on the northern and southern sides of Basin G.

Site Visit

Staff conducted a site visit on July 15, 2015.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.2320, 22.56.040, 22.56.290, 22.56.1020, 22.46.1070 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The Proposed Project is located on Lease Parcel 44, an 8.39-acre "U"-shaped parcel on the northeastern side of the unincorporated community of Marina del Rey. The subject parcel is located between Bali Way on the north, Admiralty Way on the east, Mindanao Way on the south, and the Basin G bulkhead and parcels 43 and 45 on the west. Marina del Rey is an urbanized community on the west side of Los Angeles County and is served by existing urban public infrastructure systems, including water, sewer, gas, electricity, and solid waste with adequate capacity to serve the Proposed Project. Regional access to the Project Site is provided by the Marina expressway to the east and by Lincoln Boulevard/Pacific Coast Highway also to the east. Direct access to the Project Site is via Admiralty Way to the east, a designated secondary highway, Bali way on the north, and Mindanao Way on the south. Further, the Bike Path provides direct bicycle access to the Project Site from points north and south of the Project Site. The Proposed Project will realign and improve the safety, visibility, and design of the Bike Path through the Project Site and its connections to points north and south. With the implementation of identified mitigation measures for the Proposed Project, roadway improvements identified in the LCP, and the improvements to the Bike Path, these streets, highways, and bike ways will adequately serve the kind and quantity of traffic expected to be generated by the Proposed Project.

The area surrounding the Project Site consists of a mix of commercial and open space uses including offices, restaurants, retail, hotel, civic uses, open space, parks, parking areas, and docks. Presently, the Project Site is an underutilized parcel located at a primary access point to Marina del Rey improved with only 14,724 square feet of development including office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path exist on the Project Site.

Presently, the LUP designates the Project Site with the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage land use categories. These land use categories call for the establishment of a range uses on their respective portions of the Project Site including visitor-serving uses, such as retail and restaurants, marine commercial uses, such as boat brokerages and boater support facilities, and Boat Storage uses including dry stack and mast up storage. The LUP further applies the Waterfront Overlay Zone to the Project Site to encourage more creative and desirable projects by allowing a mix of uses including hotel, visitor-serving commercial, open space, boat storage, and marine commercial. The Proposed Project will construct approximately 83,253 square feet development consisting of commercial, retail,

restaurant, office, marine commercial, and boater- and community-serving space, consistent with the underlying land use categories and Waterfront Overlay Zone. Further, these uses are consistent with the existing businesses and development in the surrounding area. The Proposed Project will dramatically improve the utilization of the Project Site by developing uses consistent with the surrounding area and will contribute to the creation of a visitor-serving district in Marina del Rey.

Site design opportunities are hampered on the Project Site for several reasons unique to the subject parcel. The northern and southern arms of the “U”-shaped parcel are narrower than the remaining portions of the Project Site limiting what can physically fit on these portions of the Project Site. Further restrictions to land use arrangements arise from the required provision of a 28-foot-wide public waterfront promenade along the bulkhead of all waterfront parcels, which currently does not exist on-site. The LCP further requires that new development not result in a reduction in the amount of land area dedicated to boating, marine commercial, and visitor-serving uses. Thus, the Proposed Project is required to include in its proposal replacement boating, marine commercial, and visitor-serving uses. Further, the Bike Path, a dedicated bike lane across the northern and eastern sides of the Marina, traverses the Project Site; because the Bike Path must cut across the Project Site, its presence further restricts site design opportunities. These constraints, which do not exist together on any other parcel and are not generally applicable to other properties in the same vicinity and under identical zoning classifications, create an obstacle to effective arrangement of proposed buildings and construction of an economically viable development. As such, and in order to incorporate a public waterfront promenade, the required replacement uses, and a realigned Bike Path in constrained spaces, the applicant is requesting a variance to reduce the required side yard setback along a portion of Bali Way and a reduction in the rear yard setback adjacent to Parcel 43 to accommodate dry boat storage racks.

The establishment of dry storage facilities in the side and rear yard setbacks will encroach upon the public sidewalk along Bali Way and a surface parking area on Parcel 43. To minimize visual, bulk, and operational impacts to passing pedestrians and vehicles along Bali Way resulting from the location of dry storage facilities in the side yard setback, ensure conformity with the LCP, and prevent impacts to the environment, the Proposed Project is conditioned to limit the height of the dry storage racks directly adjacent to the sidewalk to 25 feet. Further, because the use of the adjacent Parcel 43 is for surface parking, the establishment of new dry boat storage, a goal of the LCP, in the rear yard setback area will not detrimentally impact this use of the adjacent property. Thus, the Proposed Project, including the requested variance, would not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare or be injurious to other property or improvements in the same vicinity and zone. Further, because the granting of the requested variance will allow the Proposed Project to meet all other applicable goals, policies, and standards of the LCP, the requested variance is considered consistent with the LCP.

The proposed uses are similar in nature and operation to existing development in the surrounding area. The Proposed Project will arrange the proposed buildings such that the commercial uses will be located along Mindanao and Admiralty Ways, the portion of

the Project Site located along the primary streets providing regional access into and through the Marina. In this arrangement, these buildings will be situated at a primary intersection lined with existing commercial uses and the Marina del Rey Visitors Center. Further, the arrangement of the proposed buildings on the Project Site will most adequately contribute to the creation of a visitor-serving and boating district on the eastern side of Marina del Rey, and the redevelopment of this underutilized parcel will create synergies with this surrounding development. As such, the Proposed Project will be a positive contribution to this part of the Marina and would not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

In addition to these uses, the Proposed Project will provide extensive public access to the shoreline by constructing a new 28-foot-wide public waterfront promenade and incorporating high quality materials and design including decorative paving, railing, and lighting, landscaping, bicycle racks, seating areas, and new gangway entrances. The public waterfront promenade will be connected to other existing segments of the public waterfront promenade to the west of Parcel 44 on the northern and southern sides of Basin G and will provide bicycle racks and eight feet of landscaping. Access to the public waterfront promenade is provided at numerous locations along the length of the bulkhead including along the segments parallel to Mindanao, Bali, and Admiralty Ways. Access will also be provided directly from several of the proposed retail and restaurant buildings, which are oriented toward the water. One such point of access is a new public plaza located in between buildings 5 and 6. The plaza will provide a large area of direct pedestrian access to the promenade from the portion of the Project Site containing the larger retail and restaurant buildings. Thus, the Proposed Project is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

The Proposed Project will provide 462 parking spaces, at least 100 bicycle parking spaces, and loading spaces to serve the various proposed commercial businesses. Due to the inclusion of bicycle parking, the Marina del Rey LCP requires the provision of 480 parking spaces to serve the Proposed Project. The total number of spaces proposed is below code requirements and the applicant is requesting a parking permit to allow a reduction in the amount of parking from 480 to 462. Further, the Parking Permit request is also to allow a tandem arrangement for 68 of the on-site parking spaces supported by a valet-management system. This system is being employed to ensure that adequate parking is provided in a constrained space so that parking needs are met on-site and do not spill over onto surrounding streets and properties. Further, this system will help to ensure that no traffic congestion will result from the implementation of tandem parking. Thus, no conflicts are anticipated to arise from this special parking arrangement.

To support the reduction in required on-site parking, a shared parking analysis was performed to identify expected parking demand on the Project Site. The results of this analysis indicate that weekday peak demand for on-site parking would be approximately 457 spaces and weekend peak demand would be 398 spaces. Thus, the shared parking analysis indicates that peak demands would be below the proposed number of parking spaces and the proposed 462 spaces would adequately serve the on-site uses. Thus,

there will be no need for the number of vehicle parking spaces required by Part 11 of Chapter 22.52 because the nature of the use is such that there is a reduced occupancy.

The proposed buildings will range in height from approximately 10 feet to 65 feet and consist of a range of architectural types, including modern and Spanish styles that, while unique, are consistent with the mix of architectural styles in the surrounding area. Further, the Proposed Project will incorporate high-quality materials and large areas of transparency along the building facades to create an aesthetically pleasing, welcoming environment. Buildings ranging in height from 10 feet to 25 feet will be located along the northern and southern arms of the “U”-shaped parcel while taller buildings ranging from 16 to 65 feet will be located parallel to Admiralty Way. The area surrounding the Project Site includes a mix of low- to high-rise development with the area to the north, south, and west generally consisting of low- and mid-rise structures, parks, and parking areas. The area to the east of the Project Site consists of office uses reaching up to 12 stories. Thus, the arrangement of low- to mid-rise buildings on the westerly portions of the Project Site and taller buildings on the eastern side of the Project Site is considered compatible with the height of existing development in the area. Thus, the parcel is of adequate size and shape to accommodate the applicable development standards including yards, walls, fences, parking, and landscaping and provides adequate space to arrange the proposed buildings such that their height is compatible with surrounding development and will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. As the proposed uses are compatible with the underlying land use categories, the Waterfront Overlay Zone, existing surrounding development, and all applicable policies and development standards of the LCP, the Proposed Project with the requested entitlements is in conformity with the certified local coastal program.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Department of Public Works – An updated recommendation is being prepared by the Department of Public Works and will be provided to the Commission prior to hearing.

Fire Department – the Los Angeles County Fire Department recommends approval of the Proposed Project with conditions related to access, paving materials, hydrants, fire flow, fire suppression systems, fire lane markings, street signs, and addresses. Letter dated August 11, 2015.

Department of Public Health – The Los Angeles County Department of Public Health recommends approval of the Proposed Project with conditions related to the provision of public potable water and wastewater systems, operation of food establishments, and noise. Letter dated December 20, 2013 is included as an attachment to this report.

Marina del Rey Design Control Board (“DCB”) – The Proposed Project was reviewed by the DCB at its meeting on July 16, 2013. The DCB discussed the following components: boat storage, waterside improvements including slip mix, dinghy docks, and water taxi stops, boater access to restaurants, Trader Joe's, and West Marine, site design and layout, seating areas along the promenade, building scale, bicycle racks/storage, and building design differentiation. The DCB recommended approval of

the Proposed Project with design recommendations. The Project, if approved by the Regional Planning Commission will be required to return to DCB for final design review. The minutes of the DCB meeting are included as an attachment to this report.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Regional Planning Staff received two letters, one objecting to the reduction in code-required parking and one supporting the Proposed Project. No other correspondence was received from the public regarding the Project.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2013-01647, Coastal Development Permit Number 201300003, Conditional Use Permit Number 201300166, Parking Permit Number 201300012, and Variance Number 201300004 subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT ALONG WITH THE REQUIRED FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROJECT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE COASTAL DEVELOPMENT PERMIT NUMBER 201300003, CONDITIONAL USE PERMIT NUMBER 201300166, PARKING PERMIT NUMBER 201300012, AND VARIANCE NUMBER 201300004 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Reviewed by Samuel Dea, Supervising Regional Planner, Special Projects Section

Attachments:

Draft Findings

Draft Conditions of Approval

Applicant's Burden of Proof statement

County Department Recommendations

DCB Minutes

Hearing Examiner Public Hearing Transcript

Correspondence

Environmental Document

Site Photographs

Site Plan

Land Use Map

SZD:KAF

8/6/15

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2013-01647-(4)
COASTAL DEVELOPMENT PERMIT NO. 201300003
CONDITIONAL USE PERMIT NO. 201300166
PARKING PERMIT NO. 201300012
VARIANCE NO. 201300004**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on August 26, 2015, in the matter of Project No. R2013-01647, consisting of Coastal Development Permit No. 201300003 ("CDP"), Conditional Use Permit No. 201300166 ("CUP"), Parking Permit No. 201300012 ("Parking Permit"), and Variance No. 201300004 ("Variance"). The CDP, CUP, Parking Permit, and Variance are referred to collectively as the "Project Permits."
2. The permittee, Pacific Marina Venture, LLC ("permittee"), requests the Project Permits to authorize the following: 1) demolition of all existing facilities and removal of existing vegetation from the development area; construction of approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space contained in eight (8) buildings; 462 surface parking spaces; 100 bicycle parking space, open-air dry boat storage for up to 56 boats and mast up storage for up to 13 boats; a 28-foot-wide public waterfront promenade; the realignment of the Marvin Braude Bike Path ("Bike Path") through the project site; and a public plaza; 2) consistency with the subject parcel's "Waterfront Overlay Zone" development criteria; 3) valet-managed, commercial tandem parking arrangement and a reduction in Code-required parking; 4) a two (2)-foot reduction on a portion of the Bali Way side yard setback and a seven-foot reduction on the western rear yard setback adjacent to Parcel 43 for the installation of the proposed dry boat storage racks (collectively referred to as "Project") on the approximately 8.39-acre Lease Parcel 44 in the unincorporated community of Marina del Rey ("Project Site").
3. The Project Site is located on Marina del Rey Lease Parcel 44. The development area consists of approximately 8.39 acres. The Project Site is an irregular, "U"-shaped parcel with generally flat and gently-sloping topography towards the water of Basin G to the west. The subject property is currently developed with eight (8) existing buildings totaling approximately 14,724 square feet of development. The buildings contain office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path.
4. The CDP is a request to authorize the following: 1) demolition of all existing facilities and removal of existing vegetation from the development area; 2) construction of approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space contained in eight (8) buildings, with associated parking, signage, and landscaping; 3) open-air dry boat storage for up to 56 boats and mast up storage for up to 13 boats; 4) a 28-foot-wide

public waterfront promenade; 5) the realignment of the Bike Path through the project site; and 6) a public plaza in the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage Land Use Categories with a Waterfront Overlay Zone pursuant to County Code Section 22.46.1110.

5. The CUP is a request to ensure Project consistency with the subject parcel's "Waterfront Overlay Zone" development criteria in the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage Land Use Categories pursuant to County Code Section 22.46.1720.
6. The Parking Permit is a request to authorize valet-managed, commercial tandem parking arrangement and a reduction in Code-required parking in the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage Land Use Categories with a Waterfront Overlay Zone pursuant to Part 11 of Chapter 22.52 of the County Code.
7. The Variance is a request to authorize a two (2)-foot reduction on a portion of the Bali Way side yard setback and a seven-foot reduction on the western rear yard setback adjacent to Parcel 43 for the installation of the proposed dry boat storage racks in the Visitor-Serving/Convenience Commercial Land Use Category pursuant to County Code Section 22.46.1410.
8. The Project Site is located in the Playa del Rey Zoned District and is currently zoned Specific Plan.
9. The Project Site is located within the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage land use categories with a Waterfront Overlay Zone of the Marina del Rey Land Use Policy Map.
10. Surrounding Zoning within a 700-foot radius includes:
 - North: Marine Commercial, Water, Visitor-Serving/Convenience Commercial, Office, Open Space, Public Facilities, Parking, Commercial (City of Los Angeles)
 - South: Visitor-Serving/Convenience Commercial, Public Facilities, Parking, Boat Storage, Water, Open Space
 - East: Office, Commercial (City of Los Angeles), Visitor-Serving/Convenience Commercial
 - West: Open Space, Water, Visitor-Serving/Convenience Commercial, Hotel
11. Surrounding land uses within a 700-foot radius include:
 - North: Catalina Yacht club, wet slips, California Yacht Club, restaurant, Yvonne B. Burke Park, a bank and office building, Lloyd Taber-Marina del Rey County Library, public parking, medical office building, Marina Towers office complex, and commercial development in the City of Los Angeles
 - South: Waterside Shopping Center, Marina del Rey Visitors Center, public parking, Marina del Rey Boat Launch, wet slips, Burton W. Chace Park

East: Marina Towers office complex, commercial development in the City of Los Angeles, Waterside Shopping Center
West: Burton W. Chace Park, wet slips, Marina del Rey Hotel

12. In 1977, the Regional Planning Commission approved CUP 881 permitting additions and alterations to an existing recreational yacht club facility. In 2011, the Department of Regional Planning ("DRP") approved Plot Plan No. 201100169 permitting the installation of new business and directional signage for an on-site boating business. In 2012, the California Coastal Commission ("CCC") approved CDP No. 5-11-131 permitting the reconstruction of various anchorages throughout Marina del Rey including the waterside portion of the subject parcel. In 2015, DRP approved Plot Plan No. 201500291 in concept permitting the reconstruction of the anchorage on the waterside portion of the subject parcel.
13. The site plan for the Project depicts an approximately 8.39-acre, "U"-shaped Project Site. Ingress and egress to the Project Site is provided by 10 driveways, five (5) along Bali Way, four (4) along Mindanao Way, and one (1) along Admiralty Way. Additional pedestrian access is available to the Project Site via pedestrian pathways located at the southeastern corner of Admiralty and Bali Ways and at the northwestern corner of Admiralty and Mindanao Ways.

The site plan depicts eight (8) buildings located throughout the Project Site. These buildings contain an array of uses including commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space. In total, these buildings contain approximately 83,253 square feet of development. Building 1 (boater restroom) is located on the Mindanao Way side of the Project Site at the westernmost end of the southern arm of the "U"-shaped parcel and adjacent to the public waterfront promenade. Building 2 (Trader Joe's or other specialty market) is also located on the Mindanao Way side of the Project Site roughly midway between Admiralty Way and the westernmost edge of the Project Site and adjacent to the public waterfront promenade. Building 3 (boater restroom) is also located on the Mindanao Way side of the Project Site nearer to Admiralty Way and just east of the realigned Bike Path and new public waterfront promenade. Building 4 (West Marine and replacement boater-serving uses and offices) is located along the Admiralty Way side of the Project Site near the Mindanao Way and just east of the realigned Bike Path and public waterfront promenade. Building 5 (retail and restaurant) is also located along Admiralty Way side of the Project Site midblock between Bali and Mindanao Ways adjacent to the Bike Path and public waterfront promenade. Building 6 (retail and restaurant) is also located along the Admiralty Way side of the Project Site near Bali Way and adjacent to the realigned Bike Path and public waterfront promenade. Building 7 (boater restroom) is located along the Bali Way side of the Project Site midblock between Admiralty Way and the westernmost edge of the northern arm of the "U"-shaped parcel and adjacent to the public waterfront promenade. Building 8 (yacht club facility) is located along the Bali Way side of the Project Site near the westernmost edge of the northern arm of the "U" adjacent to the public waterfront promenade. Adjacent to building 8 is an associated boat repair shop and boat service yard, dry stack boat storage racks accommodating up to 56

boats, and mast up storage spaces accommodating up to 13 boats. All buildings are oriented toward the water.

Dispersed throughout the Project Site are approximately 462 surface parking spaces as well as 100 bike parking spaces. Along the entire length of the bulkhead of the Project Site is a 28-foot-wide public waterfront promenade that connects with segments of the public waterfront promenade to the west on Parcels 43 and 45. The site plan also depicts the new alignment of the Bike Path through the Project Site. This alignment locates the Bike Path in between the public waterfront promenade and buildings 3 through 6. The Bike Path enters the northern side of the Project Site midway between Admiralty Way and the westernmost edge of the northern arm of the "U"-shaped parcel. The Bike Path also enters the southern side of the Project Site midway between Admiralty Way and the westernmost edge of the southern arm of the "U"-shaped parcel.

Finally, located between buildings 5 and 6 is a new public plaza consisting of hardscape and landscape elements. Additional landscaping and project signage will be incorporated throughout the Project Site including around the proposed buildings, along the promenade, throughout the parking areas, and at prominent corners of the lease parcel.

14. The Project Site is accessible via Bali Way to the north, Admiralty Way to the east, and Mindanao Way to the south. Primary access to the Project Site will be provided by 10 driveways, five (5) along Bali Way, four (4) along Mindanao Way, and one (1) along Admiralty Way.
15. The Project will provide at least 462 parking spaces in surface parking areas located throughout the Project Site. Of this total, 258 will be standard size spaces, 184 will be compact spaces, and 20 will be handicap accessible spaces. 68 of these spaces will be provided in a tandem arrangement in the northern portion of the Project Site adjacent to Admiralty Way; this tandem arrangement will be managed by a valet system. The Project will also provide at least 100 bicycle parking spaces distributed throughout the Project Site and along the public waterfront promenade.
16. On March 4, 2015, prior to the Commission's public hearing on the Project, a Hearing Examiner public hearing was held at the Marina del Rey Hotel. The purpose of this hearing was to take public testimony on the Draft Environmental Impact Report ("EIR"). Including the applicant, approximately eight (8) individuals provided testimony and one individual asked questions of the applicant. The transcript is contained in the EIR. The applicant and the Project architect provided a description of the Project. Public comment received related to: opposition to the Project, impacts of the Project on the aesthetics of Admiralty Way, traffic resulting from the Project, noticing procedures, access for boaters, the proposed tenants, access to nearby open space, views of the water, traffic mitigation fees, the public review process, small boating opportunities, other developments in the Marina, and the new yacht club facility incorporated into the Project.

17. The County Department of Public Health ("DPH") recommends approval of this Project and has recommended conditions of approval pertaining to potable water, sewer, and licensing for restaurants, which are included in the Project's conditions. The County Fire Department ("Fire Department") recommends approval of this Project and has recommended conditions of approval pertaining to access, paving materials, hydrants, fire flow, fire suppression systems, fire lane markings, street signs, and addresses, which are included in the Project's conditions.
18. Regional Planning staff prepared a Draft EIR, which evaluated the potential project-specific and cumulative environmental impacts of the Project. On February 12, 2015 a Notice of Completion and Notice of Availability ("NOC-NOA") of a Draft EIR was posted at the County Recorder's office. On February 12, 2015 the NOC-NOA was sent by mail to required agencies including the State Clearing House and other interested parties. The NOC-NOA was also posted on the Project Site and on the Department's website. The formal public review period for the Draft EIR was from February 13, 2015 to March 31, 2015. The mitigation measures necessary to minimize significant environmental impacts to the maximum extent possible are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project. After the close of the comment period for the Draft EIR, Regional Planning staff prepared a Final EIR in accordance with section 15089 and 15132 of the State California Environmental Quality Act ("CEQA") Guidelines, which includes: response to comments, MMRP, Findings of Fact, and a Statement of Overriding Considerations ("SOC").

Areas of potential environmental impacts addressed in the Final EIR include aesthetics, air quality, biological resources, geology and soils, greenhouse gases, hydrology and water quality, noise and vibration, traffic and access, public services including police and fire protection, and utilities and service systems including wastewater, water, and solid waste. Areas that required no further environmental review as described in the Initial Study were agricultural and forest resources, cultural resources, energy, hazards and hazardous materials, land use and planning, mineral resources, and population and housing.

Significant and unavoidable impacts identified in the Final EIR after implementation of the required project design features and mitigation measures as enforced by the Project's MMRP related to traffic and access, noise, and solid waste. With respect to traffic and access, the Project would result in significant and unavoidable project-specific operational impacts to the environment at seven (7) City-only or shared City/County jurisdiction study locations including: Venice Boulevard and Lincoln Boulevard, Washington Boulevard and Lincoln Boulevard, Lincoln Boulevard and Marina Expressway, Lincoln Boulevard and Mindanao Way, Mindanao Way and eastbound Marina Expressway, Lincoln Boulevard and Fiji Way, and Lincoln Boulevard and Jefferson Boulevard. No feasible mitigation measures exist to reduce these impacts. Further, buildout of the Project would result in significant and unavoidable cumulative impacts at eight (8) study locations including: Admiralty Way and Via Marina, Admiralty Way and Palawan Way, Admiralty Way and Mindanao Way, Washington Boulevard and Via Marina/Ocean Avenue, Washington Boulevard and Palawan Way, Lincoln Boulevard and Bali Way, Lincoln Boulevard and

Mindanao Way, and Lincoln Boulevard and Fiji Way. No feasible mitigation measures exist to reduce these impacts and would remain significant and unavoidable. With respect to noise, noise-sensitive uses in proximity to the Project Site and along the haul route may be exposed to construction related noise, including that generated by haul trucks, that exceeds the County's Noise Control Ordinance standards. Therefore, even with the implementation of mitigation measures, temporary project-specific and cumulative impacts related to construction activities would be significant and unavoidable. With respect to solid waste, while existing solid waste disposal capacity has been identified to accommodate the solid waste generated by the Project, solid waste facilities are considered a finite resource and existing hazardous waste management facilities in the County are inadequate. Therefore, the cumulative increase in solid and hazardous waste generation would cause a significant and impact unless additional landfill space or other disposal alternatives are approved.

A Statement of Overriding Considerations is required to allow the approval of the Project in light of the above-identified remaining significant and unavoidable impacts. The Commission finds, as set forth in the prepared CEQA Findings and SOC, which was adopted by the Commission after the close of its August 26, 2015 public hearing, that the benefits and value of the Project outweigh the remaining significant impacts of the Project after all feasible mitigation has been implemented. The benefits of the Project include, but are not limited to, the provision of high-quality visitor-serving restaurants and retail amenities, improved coastal recreational opportunities, the provision of boater-serving amenities, the establishment of a Trader Joe's (or similar) specialty market for the convenient sale of food and beverage to boaters and visitors, high-quality building design, an improved bicycle environment through the Project Site, and improved fire access to the Project Site. These, and other Project design features beyond those that are required, which are more fully described in the CEQA Findings and SOC, provide benefits supporting the determination that the benefits of the Project outweigh the Project's remaining significant and unavoidable impacts.

19. Pursuant to the provisions of sections 22.56.2400, 22.60.174, and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
20. Prior to the Commission's public hearing, Regional Planning staff received one letter expressing opposition to the requested Parking Permit for a reduction in code-required parking. No other correspondence was received from the public regarding the Project.
21. *To be inserted after the public hearing to reflect hearing proceedings.*
22. The Commission finds that the Project is consistent with the goals and policies of the Marina del Rey Local Coastal Program ("LCP"). The Project Site is located within the Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage land use categories with a Waterfront Overlay Zone of the LUP. The Visitor-Serving/Convenience Commercial land use category is intended to provide "dining

facilities, retail, and personal services and youth hostels.” The Marine Commercial land use category is intended to provide “coastal-related or coastal-dependent uses associated with operation, sales, storage, and repair of boats and marine support facilities.” The Boat Storage land use category is intended to provide “public and commercial boat launching and storage including public parking, ramps and associated launching hoists, dry boat storage, dry stack storage, boat rentals and instruction, and ancillary support commercial facilities associated with that use.” Additionally, the Waterfront Overlay Zone is intended as an overlay land use category applied to certain waterfront parcels and is intended to encourage more creative and desirable projects by allowing a mix of uses in proposed developments. Permitted uses include hotel, visitor-serving commercial, open space, boat storage, and marine commercial...regardless of the principal permitted use on the specific parcel.” The Project is relying on the Waterfront Overlay Zone to guide appropriate development on the Project Site. The Project, including the approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space, is consistent with the Waterfront Overlay Zone as the proposed uses provide visitor-serving commercial, boat storage, and marine commercial amenities on a waterfront parcel. Therefore, the Project is consistent with the permitted uses of the Waterfront Overlay Zone.

23. The Commission finds that the Project is consistent with the applicable policies related to shoreline access. Buildout involves extensive public access to the shoreline by constructing a new 28-foot-wide, approximately 1,500-foot-long public waterfront promenade along the entire length of the subject parcel's bulkhead. The public waterfront promenade incorporates a design utilizing high-quality materials including decorative paving, railing, and lighting, landscaping, bicycle racks, seating areas, and gangway entrances to adjacent docks. The public waterfront promenade will be connected to other existing segments of the public waterfront promenade to the west of Parcel 44 on the northern and southern sides of Basin G. Access to the public waterfront promenade is provided at numerous locations along the length of the bulkhead including along the segments parallel to Mindanao, Bali, and Admiralty Ways. Access to the public waterfront promenade will also be provided directly from several of the proposed retail and restaurant buildings, which are oriented toward the water. One primary access point to the public waterfront promenade is a new public plaza located along the eastern side of the Project Site between buildings 5 and 6. The plaza will provide a large area of direct pedestrian access to the promenade and the waterfront from the portion of the Project Site containing the proposed retail, restaurant, and commercial buildings.

The Project will provide extensive visual access to the shoreline through the provision of view corridors. A total of nine (9) view corridors will be incorporated into the design of the Project providing visual access to the Marina's waters through the Project Site from the surrounding roadways. These nine (9) view corridors will provide visual access across approximately 55 percent of the subject parcel's frontage.

The Project will also realign the segment of the Bike Path that traverses a central parking area across Project Site. The new alignment will locate the Bike Path in

between the public waterfront promenade and several of the proposed buildings parallel to Admiralty Way just offset from the bulkhead. This alignment provides physical access to both the public waterfront promenade and several of the proposed commercial, retail, restaurant, office, marine commercial, and boater- and community-serving buildings and also provides visual access to the Marina's waters along most of its length across the Project Site.

Finally, the Project is conditioned to incorporate wayfinding signage into the design of the development to direct visitors on the site to the public waterfront promenade and other public viewing areas.

24. The Commission finds that the Project is consistent with the applicable policies related to recreation and visitor-serving facilities. The Project will construct a 28-foot-wide public waterfront promenade along the entire bulkhead length of Parcel 44 (approximately 1,500 feet) adjacent to Basin G. The promenade will accommodate various recreational opportunities and will include amenities such as seating areas, bicycle racks, and decorative landscaping. Access will be provided along all segments of the bulkhead including the northern and southern arms of the "U"-shaped parcel. Access points will be provided from: parking areas, between proposed buildings, the public plaza, and directly from retail and restaurant facilities adjacent to the public waterfront promenade.

Additionally, the Project will realign and improve the portion of the Bike Path that traverses the Project Site. Presently, the Bike Path enters the Project Site on the northern and southern sides via shared bike and vehicular ingress/egress. Through the Project Site, the Bike Path meanders through parking areas in the center of the Project Site. The Project will realign the Bike Path such that it takes a direct path from the Bali Way edge to the Mindanao Way edge of the Project Site. The realignment will be located adjacent to and in between the expanded public waterfront promenade and the proposed buildings along the Admiralty Way frontage. Further, the Project will improve the Bike Path crossings along on the northern and southern sides of the Project Site midblock west of Admiralty Way across Bali and Mindanao Ways. These crossings are intended to improve safety, visibility, and design.

Finally, the Project will construct an approximately 10,230-square-foot public plaza between buildings 5 and 6. This plaza will provide decorative paving and other hardscape features, seating, landscaping, and stadium seating adjacent to the public waterfront promenade, and visual access to the Marina's waters.

The Project will provide parking in surface parking areas located throughout the Project Site. The Project will plant trees and other landscaping throughout these parking areas in landscaping strips along the Project Site fronts buffering views of the parking areas from point outside the Project Site. This landscaping includes two landscaping strips flanking either side of the public sidewalks along the Mindanao Way and Admiralty Way frontages and a single landscaping strip along the Bali Way frontage and range in width from four (4) feet to eight (8) feet. In addition to landscaping, the Project is conditioned to require the installation of wayfinding

signage directing visitors to the Project Site to both on-site and off-site visitor-serving amenities and the parcel's waterfront.

25. The Commission finds that the Project is consistent with the applicable policies related to recreational boating. The Project will develop a number of recreational boating support facilities on the Project Site. These include three stand-alone boater restroom buildings, a boater restroom and laundry facility incorporated into one of the retail buildings, and a boater lounge/community room also incorporated into one of the retail buildings. Additionally, the Project is incorporating space to accommodate a new yacht club facility and support facilities including a boat repair shop, service yard, and dry storage spaces. Finally, though not part of this entitlement request, the docks adjacent to this lease parcel will be reconstructed and will incorporate transient slips, dinghy tie-up areas, and a future WaterBus stop to serve boaters and users of the proposed on-site uses. The new decorative railings along the public waterfront promenade will incorporate connection points for gangways to access the WaterBus stop.

The Project will incorporate dry stack storage spaces able to accommodate up to 56 boats along the western edge of the northern arm of the "U"-shaped parcel. In this same area, space will be provided to accommodate up to 13 mast-up storage spaces. Additionally, the Project will provide a total of nine (9) view corridors throughout the Project Site providing visual access from the surrounding roadways and the Project Site to the Marina and its waters. These nine (9) view corridors will provide visual access across approximately 55 percent of the subject parcel's frontage, in excess of the minimum 20 percent requirement. Therefore, the incorporation of the identified boat storage racks will not impact the provision of adequate view corridors.

26. The Commission finds that the Project is consistent with the applicable policies related to marine resources. The Project Site will be graded to sheet flow away from the bulkhead and toward new stormwater infrastructure. The Project will install new catch basins and storm drains on the Project Site and will collect and convey stormwater away from proposed structures. The Project will incorporate two single connections to an existing 60-inch storm drain; one connection will cover the northern portion of the Project Site and one connection will cover the southern portion of the Project Site. Additionally, the Project will construct bioinfiltration areas to capture runoff and percolate this runoff through engineered soil and allow it to discharge downstream slowly. These bioinfiltration areas include planted pavement that will capture surface runoff fed by the on-site catch basins.
27. The Commission finds that the Project is consistent with the applicable policies related to important biological resources. The Project is conditioned to require that all final materials and lighting used in the construction and operation of the various visitor- and boater-serving, community, and marine commercial uses and accessory facilities are treated and operated to reduce potential for bird strikes.

A preliminary tree survey was conducted of the Project Site and the adjacent road medians to identify the presence of trees. The survey identified 103 trees on the

Project Site and 24 trees in the medians along Mindanao, Admiralty, and Bali Ways. The specimens identified are a mix of 13 species of which none are considered native to the area and several are considered invasive; only light guano staining was found underneath the surveyed trees suggesting that this area is not used for nesting or significant roosting.

Because the Project will completely redevelop the entirety of Parcel 44, all 103 of the trees identified on the Project Site will be removed. Additionally, in order to accommodate numerous road improvements including the removal or reconstruction of road medians directly adjacent to the Project Site, 24 median trees along Mindanao, Admiralty, and Bali Ways will be removed. The Project is conditioned to require compliance with the tree trimming and removal policies of the LCP in order to preclude impacts to any nesting birds that may exist on the Project Site or in a street median. Further, the Project is conditioned to comply with the tree replacement requirements of the LCP. The landscaping concept developed for the Project includes the planting of 238 trees throughout the Project Site with additional trees planted in the medians. The planting palette includes a variety of species that are considered appropriate for a coastal environment, are drought tolerant, and are not considered invasive. The number of trees proposed for planting is greater than the one-to-one replacement ratio required by the LCP.

28. The Commission finds that the Project is consistent with applicable policies related to land use. The Project will be located on Parcel 44 adjacent to the bulkhead along Basin G on the northeastern side of Marina del Rey. Presently, the Project Site is developed with eight (8) existing buildings totaling approximately 14,724 square feet of development. The buildings contain office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. All existing uses will be demolished to accommodate the Project. The Project will construct approximately 83,253 square feet of development that will accommodate commercial, retail, restaurant, office for boating-related uses, marine commercial, and boater- and community-serving space, a public plaza, a new public waterfront promenade, a realignment of the Bike Path, and dry boat storage racks. While existing uses will be displaced by the Project, the proposed uses will increase the amount of space dedicated to similar uses included in the Project and improve on the quality of space used for these recreational and visitor-serving opportunities. Included in these uses is a new yacht club facility with associated boat repair shop and service yard, dry stack storage spaces accommodating up to 56 boats, and mast-up storage spaces accommodating up to 13 boats.

Buildout of the Project involves the provision of numerous points of public access to the shoreline with the construction of a 28-foot-wide public waterfront promenade that incorporates high quality materials including decorative paving railing, and lighting, landscaping, bicycle racks, and seating areas at numerous points along its length. The public waterfront promenade will be connected to other existing segments of the public waterfront promenade to the west of Parcel 44 on the northern and southern sides of Basin G and will provide bicycle racks and eight feet of landscaping. Additionally, the Proposed Project will realign the Bike Path through the Project Site. The realignment will take a direct path from the Bali Way edge to

the Mindanao Way edge of the Project Site. The realignment will be located adjacent to and in between the public waterfront promenade and the proposed buildings along the Admiralty Way frontage. This realignment will improve the bicycling environment along this segment of the Bike Path allowing for a more efficient path of travel through the Project Site and provide expanded views of the Marina's waters. Further, the Proposed Project will improve the Bike Path crossings along on the northern and southern sides of the Project Site midblock west of Admiralty Way across Bali and Mindanao Ways. These crossings are intended to improve safety, visibility, and design. The DCB recommended approval of the preliminary site plan at its July 16, 2013 meeting.

29. The Commission finds that the Project is consistent with the applicable policies related to coastal visual resources. The Proposed Project will construct a new segment of a public waterfront promenade to 28-feet-wide along the entire length of the bulkhead of Parcel 44, approximately 1,500 feet in length. The public waterfront promenade will provide unobstructed views of the Marina's waters and will provide an improved experience over existing Project Site conditions, which does not presently have a defined promenade, including installing decorative paving, railing, and lighting, landscaping, bicycle racks, and seating areas.

Access to the public waterfront promenade is provided at numerous locations along the length of the bulkhead including along the segments parallel to Mindanao, Bali, and Admiralty Ways. Access to the public waterfront promenade will also be provided directly from several of the proposed retail and restaurant buildings, which are oriented toward the water. One such area to access to the public waterfront promenade is a new public plaza located in between several proposed buildings and adjacent to the public waterfront promenade. The plaza will provide a large area of direct pedestrian access to the promenade as well as unobstructed views of the Marina's waters from the eastern side of the Project Site containing the larger retail and restaurant buildings.

The Proposed Project will provide extensive visual access to the shoreline through the provision of view corridors. A total of nine (9) view corridors will be incorporated into the design of the Proposed Project providing visual access from the surrounding roadways and the Project Site to the Marina and its waters. These nine (9) view corridors will provide visual access across approximately 55 percent of the subject parcel's frontage.

30. The Commission finds that the Project is consistent with the applicable landscaping requirements. The Proposed Project will incorporate landscaping along the northern, eastern, and southern perimeters of the Project site and will include a mixture of trees, shrubs and groundcover. Planting areas along Mindanao and Admiralty Ways are split into two strips flanking the public sidewalk and planting areas along Bali Way are located in strip behind the public sidewalk. In order to maintain visual access into and through the lot and implement off-site road improvement consistent with the requirements of the LCP, these landscaped strips range in width from three feet six inches to 11 feet, consistent with this requirement.

31. The Commission finds that the Project is consistent with the applicable lot coverage requirements. The Proposed Project is located on Marina del Rey Lease Parcel 44. The parcel is approximately 8.39 acres in area and the Proposed Project will redevelop the entirety of the parcel; however, the eight (8) buildings proposed will cover only 62,915 square feet of the Project Site (approximately 1.44 acres). As such, the development area of the Proposed Project will cover approximately 17 percent of the Project Site area. In total, the Proposed Project will include approximately 56,203 square feet of landscaped areas. As the Project Site is approximately 365,468 square feet, this amount of landscaping exceeds the minimum 10 percent requirement.
32. The Commission finds that with the granting of the requested parking permit, the Project is consistent with the applicable parking requirements. Part 11 of Chapter 22.52 and the Marina del Rey LCP requires the provision of 505 parking spaces to serve the various uses included in the Proposed Project. Additionally, the Proposed Project is providing at least 100 bicycle parking spaces. Because of this allocation, the Proposed Project is permitted to reduce the required on-site parking by 25 spaces. Thus, the Proposed Project is required to provide 480 spaces. In total, the Proposed Project will provide 462 parking spaces in surface parking areas located throughout the Project Site. Of this total, 258 will be standard size spaces, 184 will be compact spaces, and 20 will be handicap accessible spaces; the 184 compact spaces is consistent with the maximum 40 percent compact space allocation requirement and the 20 handicap accessible spaces is in excess of the seven (7) handicap spaces that are required for this project.

The total number of spaces proposed is below code requirements and the applicant is requesting a parking permit to allow a reduction (less than four (4) percent) in the amount of parking from 480 to 462. Further, the Parking Permit request will also cover a valet-management system to allow for 68 of the parking spaces to be provided in a tandem arrangement. To support the reduction in required on-site parking, a shared parking analysis was performed to identify expected parking demand on the Project Site. The results of this analysis indicate that weekday peak demand for on-site parking would be approximately 457 spaces and weekend peak demand would be 398 spaces. Thus, the shared parking analysis indicates that peak demands would be below the proposed number of parking spaces and the proposed 462 spaces would adequately serve the on-site uses. With the granting of the requested Parking Permit and the use of a valet-system, the reduced on-site spaces and tandem parking arrangement is considered consistent with applicable parking requirements.

Finally, the Proposed Project is required to provide loading spaces for each commercial building other than the restrooms and yacht club facility. The site plan depicts loading areas capable of accommodating needed loading space to facilitate the operation of the proposed on-site businesses. Thus, the Proposed Project is consistent with this development standard.

In addition to the code required parking allocation, the LCP requires that the Proposed Project determine the appropriateness of utilizing on-site parking for

shoreline access and recreational uses during peak visitation periods that coincide with nonpeak office/commercial working hours. In a letter dated November 2013, DBH recommended not including shared parking facilities in the design of the Proposed Project. Thus, the Proposed Project has met this requirement.

33. The Commission finds that the Project is consistent with the applicable sign requirements. The entitlement request for a CDP includes the installation of project-related signage along the perimeter of the Project Site, at access points, within the development, and along the promenade. The Proposed Project is conditioned to submit a sign program consistent with the requirements of the Revised Permanent Sign Controls and Regulations to the DCB and the Department of Regional Planning for review and approval, consistent with this requirement.
34. The Commission finds that the Project is consistent with the applicable site planning requirements. The Proposed Project will construct eight (8) buildings of various sizes, heights, and bulk. The structures will be distributed throughout the Project Site and will not be structurally connected. View corridors are provided between these buildings in an amount that crosses approximately 55 percent of the subject parcel. As such, this arrangement of buildings avoids long and continuous blocking of water views. All structures will be oriented toward the Marina's waters and the pedestrian promenade, consistent with this requirement.
35. The Commission finds that the Project is consistent with the applicable view corridor requirements. The Proposed Project is located on Marina del Rey Lease Parcel 44. The Proposed Project will develop approximately 83,253 square feet of development contained in eight (8) buildings located throughout the Project Site. The Project Site has a bulkhead length of approximately 1,528 linear feet. A minimum 20 percent view corridor requires a view corridor that crosses at least 306 linear feet of the subject parcel's width. The Proposed Project provides nine (9) view corridor segments that cross approximately 843 total feet, or 55 percent, of the subject parcel's width, exceeding this requirement.
36. The Commission finds that the Project is consistent with the applicable emergency access requirements. The Proposed Project is comprised of eight (8) buildings ranging in height from one story to two stories. Fire access to the proposed structures is provided in numerous places throughout the Project Site and adjacent to all proposed buildings. Fire access lanes range in width from 20 feet to 28 feet and are consistent with identified Los Angeles County Fire Department needs for this project. The Proposed Project, located on Lease Parcel 44, will include a new public waterfront promenade 28 feet wide. The public waterfront promenade will incorporate decorative paving, railing, and lighting, eight feet of landscaping, bicycle racks, and seating areas. The design of the public waterfront promenade and the arrangement of these amenities are such that at least 20 feet will remain free and clear along its entire length, consistent with identified Los Angeles County Fire Department needs for this project.
37. The Commission finds that the Project is consistent with the applicable transportation improvement requirements. As part of the Proposed Project, new

access via a proposed Admiralty Way driveway will result in the construction of a new left-turn pocket in the Admiralty Way median island. Additionally, the traffic analysis prepared for the Proposed Project found that the proposed uses would result in the generation of 411 net new pm peak hour trips. Based on this trip generation, Mitigation Monitoring and Reporting Program for the Proposed Project requires the applicant to pay \$2,338,590 in fair share traffic impact mitigation fees related to the generation of this number of peak trips. The Proposed Project is consistent with this requirement.

38. The Commission finds that the Project is consistent with the applicable height requirements of the Visitor-Serving/Convenience Commercial land use category. The LCP limits height on Project Site to 45 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan allows height to reach up to 75 feet with the provision of an expanded view corridor. None of proposed structures or dry stack storage racks on the northern arm of the "U"-shaped parcel exceed a maximum height of 45 feet. Further, none of the structures on the southern arm of the "U" exceed a maximum height of 33 feet. Therefore, all proposed structures located within this land use category are consistent with the height limitation established on the Project Site.
39. The Commission finds that with the granting of the requested variance, the Project is consistent with the applicable setback requirements of the Visitor-Serving/Convenience Commercial land use category. The Proposed Project will provide a 15-foot southerly side yard setback, an eight (8)- to 10-foot northerly side yard setback along the Bali Way frontage, a 20- to 28-foot- rear yard setback on the southerly arm of the "U," and a three (3)-foot rear yard setback on the northerly arm of the "U." However, due to the irregular shape and configuration of the subject property, the applicant is requesting a variance to reduce required side and rear yard setbacks to eight (8) feet along a portion of the Bali Way frontage and three (3) feet adjacent to Lease Parcel 43, respectively. With this granting of the Variance, the Proposed Project will be consistent with this requirement.
40. The Commission finds that the Project is consistent with the applicable displacement requirements of the Visitor-Serving/Convenience Commercial land use category. The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path, an increase from existing amounts of comparable development. Therefore, the Proposed Project is consistent with this requirement.
41. The Commission finds that the Project is consistent with the applicable height requirements of the Marine Commercial land use category. The LCP limits height on Project Site to 45 feet. Further, the Site-specific Development Guidelines contained

in the Specific Plan allows height to reach up to 75 feet with the provision of an expanded view corridor. Of the buildings proposed within on this portion of the Project Site, the tallest would reach 65 feet tall. In order to achieve this height, the Proposed Project must provide an approximately 33 percent view corridor across the subject parcel. As the Proposed Project is providing a view corridor that covers approximately 55 percent of the Project Site, the Proposed Project provides adequate view corridors to achieve greater building height, consistent with this requirement.

42. The Commission finds that the Project is consistent with the applicable setback requirements of the Marine Commercial land use category. The Proposed Project will provide a front yard setback that ranges in depth from 16 to 19 feet, a northerly side yard setback that ranges in depth from 16 to 18 feet, and a promenade setback of at least 8 feet six inches. As there is no applicable highway setback, the Proposed Project is consistent with this requirement.
43. The Commission finds that the Project is consistent with the applicable displacement requirements of the Marine Commercial land use category. The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path. Therefore, the Proposed Project is consistent with this requirement.
44. The Commission finds that the Project is consistent with the applicable height requirements of the Boat Storage land use category. The LCP limits height on Project Site to 25 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan allows height to reach up to 75 feet with the provision of an expanded view corridor. Only one building is proposed on this portion of the Project Site, and it would reach 10 feet tall. Therefore, the Proposed Project is consistent with this requirement.
45. The Commission finds that the Project is consistent with the applicable setback requirements of the Boat Storage land use category. The Proposed Project will provide a front yard setback that ranges in depth from 16 to 18, a southerly side yard setback that is 15 feet, six inches, and a promenade setback that is eight (8) feet. As there is no applicable highway setback, the Proposed Project is consistent with this requirement.
46. The Commission finds that the Project is consistent with the applicable displacement requirements of the Boat Storage land use category. The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253

square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path. Therefore, the Proposed Project is consistent with this requirement.

47. The Commission finds that the Project is consistent with the applicable displacement requirements of the Waterfront Overlay Zone. The Project Site is currently developed with approximately 14,724 square feet of office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path. The Proposed Project will develop approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space including a new yacht club facility with associated repair shop and service yard, numerous boater restrooms and a boater lounge, boater laundry facility, dry and mast up boat storage, and an improved and realigned Bike Path. Therefore, the Proposed Project is consistent with this requirement.
48. The Commission finds that the Project is consistent with the applicable site specific development guidelines. The Proposed Project will construct a new 28-foot-wide public waterfront promenade. The public waterfront promenade will include higher quality materials including decorative paving, railing, and lighting as well as landscaping, seating, bicycle racks, and new gangway connections. Additionally, the public waterfront promenade will be designed to accommodate gangways used to access docks adjacent to the Project Site. This improved and expanded public waterfront promenade will be connected to other existing segments of the promenade to the west of the project site on the northern and southern sides of Basin G.
49. The Commission finds that the Project is located on Lease Parcel 44, an 8.39-acre "U"-shaped parcel with frontage on Basin G on the northeastern side of the unincorporated community of Marina del Rey.
50. The Commission finds that the Project Site is bound by Bali Way on the north, Admiralty Way on the east, Mindanao Way on the south, and the Basin G bulkhead and parcels 43 and 45 on the west.
51. The Commission finds that Marina del Rey is an urbanized community on the west side of Los Angeles County and is served by existing urban public infrastructure systems, including water, sewer, gas, electricity, and solid waste with adequate capacity to serve the Project.
52. The Commission finds that regional access to the Project Site is provided by the Marina expressway to the east and by Lincoln Boulevard/Pacific Coast Highway also to the east
53. The Commission finds that direct access to the Project Site is via Admiralty Way to the east, a designated secondary highway, Bali way to the north, and Mindanao Way

to the south. The Commission further finds that the Bike Path provides direct bicycle access to the Project Site from points north and south.

54. The Commission finds that the Project will realign the route of the Bike Path through the Project Site to improve its safety, visibility, design, and connections to points north and south.
55. The Commission finds that with the implementation of identified mitigation measures for the Proposed Project, roadway improvements identified in the LCP, and the improvements to the Bike Path, these streets, highways, and bike ways will adequately serve the kind and quantity of traffic expected to be generated by the Project.
56. The Commission finds that the Project Site is an underutilized parcel located at a primary access point to Marina del Rey; only approximately 14,724 square feet of development including office space for boat brokers, a boat repair shop, a kayak rental facility, a yacht club, boater restroom facility, and a segment of the Bike Path exist on the Project Site.
57. The Commission finds that the Project Site is designated Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage with a Waterfront Overlay Zone by the LCP.
58. The Commission finds that these land use categories call for the establishment of a range of uses on their respective portions of the Project Site including visitor-serving uses, such as retail establishments and restaurants, marine commercial uses, such as boat brokerages and boater support facilities, and Boat Storage uses including dry stack and mast up storage. The LUP further applies the Waterfront Overlay Zone to the Project Site to encourage more creative and desirable projects by allowing a mix of uses including hotel, visitor-serving commercial, open space, boat storage, and marine commercial.
59. The Commission finds that the Project will construct approximately 83,253 square feet of development consisting of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space.
60. The Commission finds that these uses are consistent with the identified uses allowed in the underlying Visitor-Serving/Convenience Commercial, Marine Commercial, and Boat Storage land use categories and Waterfront Overlay Zone.
61. The Commission finds that the area surrounding the Project Site consists of a mix of commercial and open space uses including offices, restaurants, retail, hotel, civic uses, open space, parks, parking areas, and docks.
62. The Commission finds that the use of the adjacent property to the west on Parcel 43 is for surface parking.

63. The Commission finds that the proposed uses are consistent with the existing land use and development patterns in the surrounding area.
64. The Commission finds that the establishment of new uses consistent with the surrounding area will contribute to the creation of a visitor-serving district in Marina del Rey.
65. The Commission finds that site design opportunities are hampered by several features of the Project Site including the shape of the subject parcel, the required provision of a 28-foot-wide public waterfront promenade along the bulkhead, the on-site replacement of existing uses dedicated to boating, marine commercial, and visitor-serving uses, and the presence of the Bike Path.
66. The Commission finds that these constraints and hardships do not exist together on other parcels and are not generally applicable to other properties in the same vicinity and under identical zoning classifications.
67. The Commission finds that these constraints create an obstacle to effective arrangement of proposed buildings and the construction of an economically viable development.
68. The Commission finds that new dry boat storage is critical in meeting the goals of the LCP and that the strict adherence to the setback standards would not be consistent with the general purpose of these goals and that granting of the Variance provides the necessary relief.
69. The Commission finds that Project conditions limiting the height of the dry storage facilities adjacent to the public sidewalk and Parcel will adequately minimize visual, bulk, and operational impacts to passing pedestrians and vehicles along Bali Way.
70. The Commission finds that Project conditions limiting the height of the dry storage facilities adjacent to the public sidewalk will ensure conformity with the LCP.
71. The Commission finds that Project conditions limiting the height of the dry storage facilities adjacent to the public sidewalk along Bali Way will prevent potential impacts to the environment.
72. The Commission finds that dry boat storage does not impact the operation of adjacent areas used for surface parking.
73. The Commission finds that the establishment of dry storage in the rear yard setback area will not detrimentally impact the adjacent property and associated surface parking use.
74. The Commission finds that the Project, including the requested variance, would not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare or be injurious to other property or improvements in the same vicinity and zone.

75. The Commission finds that the requested variance is consistent with the LCP because it will allow the Project to meet all other applicable goals, policies, and standards of the LCP.
76. The Commission finds that nearby commercial uses are focused at the intersection of Admiralty Way and Mindanao Way.
77. The Commission finds that the Project's buildings will be arranged such that the commercial uses will be located along Mindanao and Admiralty Ways, the portion of the Project Site located along the primary streets providing regional access into and through the Marina.
78. The Commission finds that this arrangement of buildings will be situated at a primary intersection lined with existing commercial uses, including the Marina del Rey Visitors Center.
79. The Commission finds that this arrangement of the proposed buildings on the Project Site will most adequately contribute to the creation of a visitor-serving on the eastern side of Marina del Rey and the redevelopment of this underutilized parcel will create synergies with this surrounding development.
80. The Commission finds that the Project will be a positive contribution to this part of the Marina and would not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.
81. The Commission finds that the Project will provide extensive public access to the shoreline by constructing a new 28-foot-wide public waterfront promenade and incorporating high quality materials and design including decorative paving, railing, and lighting, landscaping, bicycle racks, seating areas, and new gangway entrances.
82. The Commission finds that the Project's new public waterfront promenade will be connected to other existing segments of the public waterfront promenade to the west of Parcel 44 on the northern and southern sides of Basin G and will provide bicycle racks and eight (8) feet of landscaping.
83. The Commission finds that access to the public waterfront promenade is provided at numerous locations along the length of the bulkhead including along the segments parallel to Mindanao, Bali, and Admiralty Ways.
84. The Commission finds that access to the public waterfront promenade will be provided directly from several of the proposed retail and restaurant buildings, which are oriented toward the water.
85. The Commission finds that access to the public waterfront promenade will be via the new public plaza located in between buildings 5 and 6, the portion of the Project Site containing the larger retail and restaurant buildings.

86. The Commission finds that due to the construction of a new public waterfront promenade with numerous points of access, the Project is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.
87. The Commission finds that the Marina del Rey LCP requires the provision of 480 parking spaces to serve the Project.
88. The Commission finds that the 462 parking spaces, 100 bicycle parking spaces, and loading spaces provided are adequate to serve the Project.
89. The Commission finds that to support the reduction in required on-site parking, a shared parking analysis has been performed to identify expected parking demand on the Project Site. The results of this analysis indicate that weekday peak demand for on-site parking would be approximately 457 spaces and weekend peak demand would be 398 spaces.
90. The Commission finds that the shared parking analysis indicates that peak demands would be below the proposed number of parking spaces and the proposed 462 spaces would adequately serve the on-site uses.
91. The Commission finds that there will be no need for the number of vehicle parking spaces required by Part 11 of Chapter 22.52 because the nature of the use is such that there is a reduced occupancy.
92. The Commission finds that the Project's buildings will range in height from approximately 10 feet to 65 feet.
93. The Commission finds that buildings ranging in height from 10 feet to 25 feet will be located along the northern and southern arms of the "U"-shaped parcel while the taller buildings ranging from 16 to 65 feet will be located parallel to Admiralty Way.
94. The Commission finds that the Project consists of a range of architectural types, including modern and Spanish styles and will incorporate high-quality materials and large areas of transparency along the building facades to create an aesthetically pleasing, welcoming environment.
95. The Commission finds that the buildings in the surrounding area consist of range of architectural types include modern and Spanish styles.
96. The Commission finds that the proposed design of the Project is consistent with the mix of architectural styles in the surrounding area.
97. The Commission finds that the area surrounding the Project Site includes a mix of low- to high-rise development with the area to the north, south, and west generally consisting of low- and mid-rise structures, parks, and parking areas. The area to the east of the Project Site consists of higher-rise building including office uses reaching up to 12 stories.

98. The Commission finds that the arrangement of low- to mid-rise buildings on the westerly portions of the Project Site and taller buildings on the eastern side of the Project Site is considered compatible with the height pattern of existing development in the area.
99. The Commission finds that with the requested Parking Permit and Variance, the Project Site is of adequate size and shape to accommodate the applicable development standards including yards, walls, fences, parking, and landscaping and provides adequate space to arrange the proposed buildings such that their height is compatible with surrounding development and will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.
100. The Commission finds that as the proposed uses are compatible with the underlying land use categories, the Waterfront Overlay Zone, existing surrounding development, and all applicable policies and development standards of the LCP, the Proposed Project with the requested entitlements is in conformity with the certified local coastal program.
101. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Marina del Rey community. On July 21, 2015, a total of 504 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 28 notices to those on the courtesy mailing list for the Playa del Rey Zoned District and to any additional interested parties.
102. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
103. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, Findings of Fact and Statement of Overriding Considerations, and finds that they reflect the independent judgment of the Commission. The Findings of Fact and Statement of Overriding Considerations are incorporated herein by this reference, as set forth in full.
104. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.

105. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.

106. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

Regarding the Coastal Development Permit:

- A. The proposed development is in conformity with the certified local coastal program.
- B. The proposed development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

Regarding the Conditional Use Permit:

- A. The proposed development at the requested location will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate; and
 - 2. By other public or private service facilities as are required.

Regarding the Parking Permit:

- A. That there will be no need for the number of vehicle parking spaces required by Part 11 of Chapter 22.52 because:
 - 1. The nature of the use is such that there is a reduced occupancy.
- B. That there will be no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces because:
 - 1. Vehicle parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan.
- C. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.
- D. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.

Regarding the Variance:

- A. There are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification; and
- B. Such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone; and
- C. the granting of the variance will not be materially detrimental to the public welfare or be injurious to other property or improvements in the same vicinity and zone; and
- D. That the variance is consistent with the Local Coastal Program including the land use category of the Specific Plan and the public access and recreation policies of the Coastal Act; and
- E. That there would be no adverse impact on the environment.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Certifies that the Final EIR for the project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR,

and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the Findings of Fact and Statement of Overriding Considerations and the MMRP; finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation, and finds that the unavoidable significant effects of the Project after adoption of said mitigation measures are as described in those Findings of Facts and Statements of Overriding Considerations; and determines that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific health, safety, economic, social, and/or environmental benefits of the Project as stated in the Findings of Fact and Statement of Overriding Considerations.

2. Approves Coastal Development Permit No. 201300003, Conditional Use Permit No. 201300166, Parking Permit No. 201300012, and Variance No. 201300004, subject to the attached conditions.

ACTION DATE: August 26, 2015

SZD:KAF

August 11, 2015

c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-01647-(4)
COASTAL DEVELOPMENT PERMIT NO. 201300003
CONDITIONAL USE PERMIT NO. 201300166
PARKING PERMIT NO. 201300012
VARIANCE NO. 201300004**

PROJECT DESCRIPTION

The project includes the following components: 1) demolition of all existing facilities and removal of existing vegetation from the development area; 2) construction of approximately 83,253 square feet of commercial, retail, restaurant, office, marine commercial, and boater- and community-serving space contained in eight (8) buildings, with associated parking, signage, and landscaping; 3) open-air dry boat storage for up to 56 boats and mast up storage for up to 13 boats; 4) a 28-foot-wide public waterfront promenade; 5) the realignment of the Marvin Braude Bike Path through the project site; and 6) a public plaza subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and until all required monies have been paid pursuant to Condition Nos. 9, 10, and 13. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 8, and 10 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$4,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **20 annual** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially

responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within five (5) working days from the day after the appeal period ends, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$3,144.75** (\$3,069.75 for an Environmental Impact Report plus \$75.00 processing fee.) No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Environmental Impact Report for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.
14. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

15. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the Fire Department.
16. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
17. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
18. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
19. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

20. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **October 25, 2015**.
21. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – COASTAL DEVELOPMENT PERMIT

22. Prior to the issuance of a building permit for the Project, the permittee shall return to the Design Control Board ("DCB") for said Board's final approval of project design, signage, landscaping, lighting, building colors and materials palette, and public amenities (concerning final design details of the public waterfront

promenade including seating areas, lighting standards, decorative paving and railing, the public plaza, and other hardscape areas and design elements).

23. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval **three (3) copies** of signage plans depicting the location, size, and height of all proposed project signage, including, but not limited to, identification signage, regulatory signage, and wayfinding signage. Said signage shall be designed and installed on the subject property in accordance with the requirements of the Marina del Rey Local Coastal Program. The Director shall not approve signage plans until the plans have been first approved by the DCB.
24. The permittee shall provide signage at bulkhead entrance points and at conspicuous locations along the length of the promenade identifying the access ways as public. Seating areas shall be provided along the promenade. Wayfinding signage providing directions to the public waterfront promenade, adjacent docks, and the planned WaterBus stop shall be posted at conspicuous locations throughout the Project Site.
25. Within (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval **three (3) copies** of a landscaping and lighting plan, depicting the size, type and location of all proposed landscaping and lighting on the site as well as all proposed irrigation. Said plans shall also include details for the public waterfront promenade, including surfacing materials, lighting, benches and other proposed facilities. The permittee shall be prohibited from including exotic invasive plants or other species that are incompatible with the restored wetland and upland park. The Director shall not approve landscaping plans until the plans have been first approved by the DCB.
26. Outside lighting shall be so arranged to prevent glare or direct illumination onto any adjacent properties and shall be subject to the requirements and approval of the DCB.
27. Final construction materials, lighting, and landscaping used in the construction and operation of the hotel and appurtenant facilities shall be treated and operated to reduce potential for bird strikes.
28. The permittee shall comply with the requirements of the tree trimming and removal policies identified in the Marina del Rey Land Use Plan.
29. A minimum of 462 parking spaces shall be provided on-site, developed in compliance with Chapter 22.52, Part 11 of the County Code and in substantial conformance with the approved parking plan on-file (marked Exhibit "A"). On-site tandem parking spaces are authorized to be valet-managed for use by patrons of the on-site businesses. On-street parking and parking in access driveways shall be prohibited.

30. The permittee shall provide at least 100 bicycle parking spaces consistent with the requirements of Part 11 of Chapter 22.52.
31. In accordance with the archaeology report submitted with the application for development, resources found in the area planned for development shall be collected and maintained at the nature center planned at the wetland preserve (Area D), or at the Los Angeles County Natural History Museum or as otherwise required by State law.
 - The applicant shall notify the Office of State Historic Preservation and the Native American Heritage Commission of the location of the grading proposed, the proposed extent of the grading and the dates on which the work is expected to take place.
 - The applicant shall notify the State Historic Preservation Office, and the Department of Regional Planning if any resource is discovered during any phase of development, and the applicant shall submit a recovery program as an amendment to the permit.
 - In the event of discovery of Native American remains or of grave goods, §7050.5 of the Health and Safety Code, and §5097.94, §5097.98 and §5097.99 of the California Public Resources Code shall apply.
32. Prior to commencement of grading, the permittee shall provide evidence that it has notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading and the dates on which the work is expected to take place.
33. All ground- and roof-mounted equipment shall be fully screened from public view. All roof-mounted facility screening materials shall be constructed of high quality building materials and shall be fully integrated into the building architecture.
34. All necessary Public Works facilities and infrastructure shall be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project, to the satisfaction of the Director of the Department of Public Works. All project infrastructure shall be designed and constructed in an environmentally sensitive manner, in full conformance with County Department of Public Works' requirements to the satisfaction of said Department, and shall follow the design and recreation policies of the certified Local Coastal Program, including landscaping standards required by the DCB.
35. The permittee shall follow the requirements for storm drain design and construction stated in Marina del Rey Specific Plan.
36. Structural stormwater BMPs shall be inspected, cleaned, and repaired as necessary to ensure proper functioning for the life of the development.

37. The permittee shall establish a functional Transportation Demand Management (TDM) program or shall participate in an existing TDM program. Viable TDM components may include, but shall not be limited to:

- Carpools
- Ridesharing
- Vanpools
- Increase use of bicycles for transportation
- Bicycle racks
- Preferential parking for TDM participants
- Incentives for TDM participants
- Disincentives

Said TDM program shall follow the guidelines in the Transportation Improvement Program contained in Appendix G of the Marina del Rey Local Coastal Program. An annual report on the effectiveness of the TDM program shall be submitted to the Director for each of the first three years following receipt of the certificate of occupancy. Following this three year period, the frequency of report preparation shall be at the discretion of the Director.

38. Project development shall conform to the phasing schedules in the certified Local Coastal Program. The phasing schedules include requirements for the existing Marina, circulation and public recreation improvements and infrastructure.
39. The permittee shall incorporate water-conserving devices and technologies into the project, in compliance with local, state and/or federal regulations controlling same, to the satisfaction of the Director of the Department of Public Works.
40. Security lighting shall be low intensity, shielded, at low height, and directed downward.
41. The permittee shall keep a log indicating the date and time of all scheduled outdoor events that take place on the premises. Said log shall be made available upon request for inspection by Regional Planning staff.
42. The height of the proposed dry boat storage racks and boats contained therein shall be limited to 25 feet for the stalls that are located adjacent to the public sidewalk.
43. A copy of these conditions shall be kept in the permittee's management office and shall be made available to all enforcement personnel upon request.

PERMIT SPECIFIC CONDITIONS - PARKING PERMIT

44. The valet management parking system shall be reviewed annually to determine effectiveness. In the event that such programs are terminated or unsuccessful, the

property owner shall supply the required parking; or propose an alternative program through an REA.

45. Where tandem parking is proposed for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established. The parking of automobiles by valets on public streets shall be prohibited. Each tandem parking space shall be eight feet wide; the length of the space shall be 18 feet for each automobile parked in tandem. Parking bays shall contain only two parking spaces where access is available from only one end. Bays of four parking spaces may be permitted where access is available from both ends.
46. In the event that any permittee and/or property owner is unable to comply with the provisions of the parking permit, the use for which permit has been granted shall be terminated, reduced, or removed unless some other alternative method to provide the required parking is approved by the director.

PROJECT SITE SPECIFIC CONDITIONS

47. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated August 11, 2015.
48. The permittee shall comply with all conditions set forth in the attached County Public Health letter dated December 20, 2013.

Attachments:

Mitigation Monitoring and Reporting Program

Fire Department Letter dated August 11, 2015

Public Health Department Letter dated December 20, 2015



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: CUP R2013-01647

**THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PROJECT AS
PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF
APPROVAL.**

CONDITIONS OF APPROVAL – ACCESS

1. Access as noted on the Site Plan shall comply with Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
2. All proposed buildings shall be places such that a fire lane is provided to within 150 feet of all exterior walls of the first story. This measurement shall be by an approved route around the exterior of the building or facility. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
3. The on-site private driveways intended for fire apparatus access, fire lane, shall provide a minimum paved unobstructed width of 26 feet, clear to the sky. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
4. Commercial and high density residential buildings being served by a 26 feet wide fire lane will have a height restriction due to the fire lane width indicated on the Exhibit Map. Such buildings shall not exceed 30 feet above the lowest level of the Fire Department vehicular access road or the building is more than three stories. Buildings exceeding this height shall provide a minimum paved fire lane width of 28 feet. The required fire lane shall be parallel to the longest side of the building between 15 feet and 30 feet from the edge of the fire lane to the building wall.
5. The promenade shall provide a minimum unobstructed fire lane width of 20 feet with an all-weather access surface as specified in the Marina Del Rey Specific Plan within Title 22 (County of Los Angeles Zoning Code). Additional fire lane width will be required adjacent to any required fire hydrants and/or any proposed buildings. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.



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6. The driveways required for fire apparatus access shall be labeled as "Private Driveway and Fire lane" on the Site Plan with the widths clearly depicted. A reciprocal access agreement is required for all private driveways within this development. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
7. Any change of direction within a private driveway shall provide a 32 feet centerline turning radius. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
8. Any Special Pavement proposed on any of the fire lanes for this development shall be capable to support a live load of 75,000 pounds. Provide a note and clearly delineate on the architectural plans when submitted to the Fire Department for review prior to building permit issuance. Verification for compliance will also be performed prior to occupancy.
9. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
10. Install 8 public fire hydrants as noted on the Site Plan. All required fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
11. The required fire flow from the public fire hydrants for this development is 2000 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. The required fire flow will be verified for accuracy during the Fire Department review of the architectural plan prior to building permit issuance.
12. Prior to building permit issuance, all required fire hydrants shall be bonded for in lieu of installation.



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PROJECT: CUP R2013-01647

13. Parking shall be restricted 30 feet adjacent to any required public or private fire hydrant, 15 feet on each side measured from the center of the fire hydrant. Adequate signage and/or stripping shall be required prior to occupancy.
14. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
15. The driveways required for fire apparatus access shall be posted with signs stating "No Parking-Fire Lane" and/or stripped accordingly in compliance with the County of Los Angeles Fire Code prior to occupancy.
16. All proposed streets and driveways within this development shall provide approved street names and signs. All proposed buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243 or Juan.Padilla@fire.lacounty.gov.



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Chief Deputy Director

ANGELO J. BELLOMO, REHS
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Fifth District

December 20, 2013

TO: Anita Gutierrez
Principal Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, MPA, REHS *M.T.*
Environmental Health Division
Department of Public Health

**SUBJECT: CUP CONSULTATION
PROJECT NO. R2013-01647/ RCUP 201300003
Marina del Rey Parcel 44 (w/frontage on Admiralty Way, Bali Way and
Mindanao Way)**

- ☒ Public Health recommends approval of this CUP.
☐ Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The CUP is for the proposed development of the waterfront at Marina del Rey parcel 44 with the construction of new commercial retail facilities, and new restaurants among other amenities.

We have no objection to the approval of the CUP contingent upon the following conditions:

Potable water supply and sewage disposal

The proposed buildings shall be supplied with potable water through an approved public water system, and wastewater disposal shall be accommodated through public sewer and wastewater treatment facilities as proposed.

The applicant shall submit a current will serve letter from the water purveyor to this Department prior to the public hearing.

Food Retail Facilities

The applicant shall comply with all the Department of Public Health requirements relating to the construction and operation of food establishments. Three sets of construction plans for the proposed food establishments shall be submitted to the Department's Plan Check Program for review and approval prior to issuance of any building permits. Each proposed food establishment must be issued a Public Health Permit to operate by this Department after construction.

Noise

The applicant shall comply with the requirements of the Los Angeles County Noise Control Ordinance as found in Title 12 of the Los Angeles County Code.

If you have any questions about this report, please contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.

**Parcel 44 Visitor- and Boater-Serving Retail Project
Burden of Proof Statements for Coastal Development Permit Application
Pacific Marina Venture, LLC (Applicant)**

This exhibit has been prepared pursuant to Section 22.56.2410 of the Los Angeles County Code (LACC), which outlines the requisite findings for approval of a coastal development permit. Each required finding is listed below in italicized font; the applicant's description of how the proposed development project satisfies each finding follows in bold font.

The applicant shall substantiate to the satisfaction of the Planning Commission the following facts:

- 1. That the proposed development is in conformity with the certified local coastal program.*

The proposed project is consistent with the certified Marina del Rey Local Coastal Program (LCP) in that:

- **Consistent with LACC 22.46.1060.A, project landscaping includes trees and shrubbery, with adequate ground cover to protect the soil. Landscape areas at the project perimeter will allow visual access into the lot. The layout, components and quality of project landscaping will be approved by the Department of Beaches & Harbors' ("DBH") Design Control Board ("DCB"), in conformance with this Code section.**
- **Consistent with LACC 22.46.1060.B, lot coverage by buildings on the site will comprise less than 90% of the parcel area and a minimum of 10% of the lot will be landscaped.**
- **Consistent with LACC 22.46.1060.C.1, parking has been provided for the project consistent with County zoning requirements for same. A parking permit has been applied for by the Applicant to authorize the project's proposed commercial tandem parking spaces and a slight reduction in Code-required parking for the project, as provided for in the County Code.**
- **Consistent with LACC 22.46.1060.C.2, the applicant has consulted with DBH to determine whether incorporation of "multiuse" parking facilities is viable for the project. The intent of multiuse parking facilities is to provide additional parking for shoreline access and recreational uses during peak visitation periods which coincide with nonpeak commercial working hours. In response to this inquiry, DBH has determined that multiuse parking facilities would not be feasible for the project (refer to letter from DBH indicating reasons why multiuse parking facilities are not viable for the project).**
- **Consistent with LACC 22.46.1060.D.1-2, project signage will be approved by the**

DCB prior to installation, to ensure conformity with the DCB's Revised Permanent Sign Controls and Regulations. Project signage will also be approved by Regional Planning staff, prior to installation, to ensure compliance with the signage regulations of the County zoning code.

- **Consistent with LACC 22.46.1060.E.1 (site planning), the planes of the proposed building exteriors vary in depth and/or direction to avoid bulk and monotony, and relate closely to pedestrian walks fronting the site. As outlined below, the DCB has reviewed and conceptually approved the Applicant's site plan and building elevations, consistent with LCP requirements.**
- **Consistent with the intent of LACC 22.46.1060.E.4 (architectural design), the project has incorporated outdoor communal gathering areas (adjacent to the Trader Joe's store and along the Admiralty Way-fronting public pedestrian promenade). Balconies, terraces and patios are also encouraged in the LCP, and have been included within the proposed project. Outdoor dining facilities that do not interfere with public access ways are also encouraged in the LCP, to take advantage of water views and scenic vistas throughout Marina del Rey. The proposed project provides abundant outdoor dining and public gathering areas directly overlooking Marina waters with direct pedestrian access to the waterfront promenade.**
- **The project is consistent with the building height standards contained in LACC 22.46.1870 (special development considerations for Parcel 44), which establishes a maximum 45-foot height limit on for the parcel, with the potential for greater building height up to 75 feet with provision of expanded view corridors. The maximum height of the proposed buildings will not exceed 45 feet (except for a small portion of the "West Marine" building to account for a rooftop architectural feature on that building; the West Marine building will achieve a maximum height of approximately 65 feet to accommodate a "pitched" roofline architectural feature at the building's entrance; additional view corridor has been provided in the project to accommodate this building's height above 45 feet). Also consistent with LACC 22.46.1870, a continuous 28-ft-wide public pedestrian promenade will be provided along the parcel's bulkhead (with seating and landscaping provided adjacent to the promenade), and the regional bicycle trail has been maintain on the parcel. (With the project, the alignment of the regional bicycle trail will be significantly improved on the parcel. The bicycle trail presently meanders haphazardly through the parcel's surface parking area. The project will align the bicycle trail in a straight line through the parcel, adjacent to the waterfront pedestrian promenade. This will both improve bicyclist safety and provide cyclists unobstructed views of the marina basin as they traverse the parcel.)**
- **Consistent with LACC 22.46.1060.F (fire safety standards), the new commercial buildings will be furnished with fire sprinklers to the satisfaction of the County Fire Department. The Applicant has also obtained the County Fire Department's**

conceptual approval of proposed fire emergency access lanes, fire hydrant locations and fire service water flow rates for the proposed project.

- **Consistent with LACC 22.46.1180.A.11, the project site plan and architectural plans have been reviewed and conceptually approved by the DCB, as further outlined in DCB's approval letter for project submitted with this application. In rendering its conceptual approval for the project, the DCB found the proposed project to be in conformity with the various public access, height, circulation, building massing, visual impact and view requirements of the MDR LCP. Further, consistent with LACC 22.46.1190.A.15, the project will undergo a "final" DCB review concerning the architectural design, landscaping and signs based on the plans approved by the Regional Planning Commission.**
- **Consistent with LACC 22.46.1190.A.1, site development will occur in geologically safe areas and will be constructed to mitigate potential geotechnical hazards associated with lateral spreading that could result during a large seismic event.**
- **The Applicant will be conditioned conduct site development in conformity with the archeological reporting requirements specified in LACC 22.46.1190.A.2.a-c.**
- **Consistent with LACC22.46.1190.A.4, the Applicant has been conditioned by Public Works to pay, prior to issuance of a building permit for the project, its fair-share of developer traffic mitigation fees based on the number of additional PM peak-hour trips generated by the project. These fees will be used by the County to fund the Revised Set of Intersection Improvement Projects set forth in LACC 22.46.1100.C., and the transportation improvements to the Regional Transportation System shown on Map 16 of the Marina Del Rey Land Use Plan.**
- **Consistent with LACC 22.46.1190.A.16 and LUP Policies regarding same, the project will be designed to provide "bird-safe" building treatments for the building façades, landscaping and lighting as outlined in the LCP.**
- **As depicted on the site plan exhibit submitted with the zoning application, the Applicant has maintained view corridors across the site, from Admiralty Way, Bali Way and Mindanao Way to the marina waters, in conformance with LCP requirements. Moreover, per the LCP, view corridors are required to be maintained so as to provide an unobstructed view of the bulkhead edge, masts and horizon for pedestrians and passing motorists. (Unobstructed views are defined in the LCP as views with no inhibition of visual access to the water.) Landscaping within view corridors is required to be placed so as not to obstruct water views. The project will be conditioned by the County to comply with this requirement.**
- **Consistent with LCP landscaping requirements, the project has been designed so that any landscaped borders used to shield obtrusive uses have a minimum width of eight feet and consist of vegetation of sufficient density to hide the use. Also,**

landscaping along site perimeters will have a minimum width of eight feet to allow visual access into the lot, except where landscaping is being used to screen an obtrusive use. The proposed planting palette will contain non-invasive, drought tolerant species (of note, the project calls for the removal of highly invasive *washingtonia* palms currently planted on the site). Consistent with the LCP, the applicant will submit a comprehensive landscaping, lighting and signage program to the DCB for approval, prior to issuance of any grading or building permits.

- The subject parcel is located within the “Bali” area of LCP Development Zone #3, which has sufficient remaining visitor-serving commercial development credits (178,741 sq. ft.), restaurant seat development credits (573 seats) and administrative office development credits (26,000 sq. ft.) to accommodate the proposed “net new”/additional visitor-serving commercial square footage (47,072 sq. ft.), restaurant seats (approximately 382 seats) and marine-supportive administrative office space (7,116 sq. ft.) proposed in the development.
- The proposed development is consistent with the subject parcel’s applicable Visitor-serving/convenience commercial, Marine Commercial, Boat Storage and Waterfront Overlay Zone land use designations for Parcel 44 per the LCP, in that:
 - All proposed land uses (i.e., visitor-serving retail establishments, restaurants, marine-supportive administrative offices and boater-serving uses) are conditionally permitted land uses in the LCP pursuant to Parcel 44’s Waterfront Overlay Zone (“WOZ”) designation;
 - The proposed project is consistent with the Water Overlay Zone (“WOZ”) development standards specified in the certified LCP. Consistent with LACC 22.46.1730.B, the Applicant has submitted a detailed plot plan which accurately shows the location and dimensions of all improvements including streets, walkways, water areas, buildings, parcel lines, landscaped areas and buildings. Moreover, consistent with LACC 22.46.1730.C, the proposed project provides improved public shoreline access (for both pedestrians and bicyclists), public recreational use (via new waterfront pedestrian promenade and realigned bicycle path), enhanced public views to the marina and enhanced day use by the general public, without detracting from public recreation facilities, including boat slips.
 - The project will not displace existing public recreation or visitor-serving uses. To the contrary, the project substantially enhances public recreational and visitor-serving opportunities at the site. As noted, the Applicant proposes to develop high-value visitor-serving uses to encourage the public’s enhanced use and enjoyment of the Marina and coastal resources. These include an assortment of waterfront restaurants and retail establishments (including substantial marine commercial retail space), outdoor waterfront

gathering areas for the public (including a 28-foot-wide pedestrian promenade along the project's entire waterfront, the realigned bicycle trail and outdoor seating areas overlooking the water) and convenient and abundant on-site parking.

- **The proposed development is in conformity with the front, rear and side yard setbacks specified in LACC, except as proposed for modification pursuant to the yard reduction variance request filed with this application (in conjunction with the proposed open dry-stack boat storage use); and**
- **Consistent with the LCP, the proposed development will not reduce the amount of land area devoted to existing public parks, boating or coastal-dependent marine commercial uses. To the contrary, the planned development will result in a substantial increase of visitor- and boater-serving uses on the site. The site will be improved with a commercial complex containing an assortment of waterfront restaurant and retail uses (including substantial marine-commercial retail use), abundant outdoor waterfront public gathering spaces (including a 28-ft-wide waterfront pedestrian promenade and realigned bicycle trail), enhanced landside boater-serving uses (including open dry stack boat storage spaces, a yacht club, significantly expanded and enhanced boater restroom and lounge facilities, a new boat repair facility, convenient onsite boater parking facilities), and a new "community" room (for use by local community groups, boating groups, etc.).**
- **Proposed project infrastructure has been designed, and will be constructed by the Applicant, in an environmentally sensitive manner and will follow design policies of the MDR LCP, including landscaping standards required by the DCB.**

Marina del Rey Land Use Plan Policy Consistency Analysis:

The project is compliant with the following applicable policies of the MDR Land Use Plan:

Shoreline Access ("SA"): LUP Chapter 1

Policies of this LUP chapter set forth requirements for new development to follow which would preserve or enhance public access to the shoreline and awareness of shoreline access points.

- (SA Policy 1) (*Public Access to Shoreline a Priority*). The project provides public pedestrian access and ensures passive recreational use to and along all portions of the Parcel 44 bulkhead, in conformance with Sections 30210-30212 of the California Coastal Act and Chapter 1 ("Shoreline Access") of the Marina del Rey Land Use Plan.

The project implements this key public access policy through provision of an expansive public pedestrian promenade along the parcel bulkhead and outdoor dining

and public seating areas overlooking the realigned bicycle trail, waterfront pedestrian promenade, and marina basin; through provision of LCP-compliant view corridors affording public views to the water from streets fronting the project (Admiralty Way, Bali Way and Mindanao Way); and through provision of directional signage regarding the project's public waterfront promenade.

In furtherance of these important shoreline public access policies, the Applicant will provide signage at the project's Admiralty Way, Bali Way and Mindanao Way entrances and at each bulkhead entrance to identify these as public access ways. If required, the Applicant will also provide signage at conspicuous locations along the length of the bulkhead public access ways (public promenade) identifying the access ways as public.

- (SA Policy 2) Public access to the water front is a key priority of the LCP, and will be enhanced through project's provision of a public pedestrian promenade along the entire water frontage of the project site and through provision of expansive outdoor dining and seating areas adjacent to the realigned bicycle trail and the waterfront pedestrian promenade. Public pedestrian access ways from Admiralty Way, Bali Way and Mindanao Way to the waterfront will be provided on the site.
- (SA Policy 3) The project design significantly enhances public access to and along the shoreline through provision of an expansive waterfront pedestrian promenade and connections thereto at multiple points along the planned complex. Development adjacent to the bulkhead (i.e., public promenade) will provide pedestrian access ways, benches and rest areas. The project will also significantly enhance bicyclists' access through the parcel by realigning the bike path parallel to the waterfront pedestrian promenade. Conspicuous signage will be posted indicating the project's lateral access ways, the waterfront promenade and adjacent bicycle trail as public.
- (SA Policy 4) (*Provision of public access over lateral access ways*). The project provides for public access from the first public road to the shoreline along all fire roads and across all dedicated open space areas (i.e., from Admiralty Way, Bali Way and Mindanao Way to the parcel's bulkhead).
- (SA Policy 13) (*Directional Signs*). Consistent with this policy, the project will incorporate signage, outdoor exhibits and brochures to enhance public awareness of shoreline access ways and public areas.
- (SA Policy 14) (*Waterfront Viewing Opportunities*). Consistent with LCP requirements, the project has been designed with unobstructed view corridors from Admiralty Way, Bali Way and Mindanao Way across the site to the Marina basin. The visitor- and boater-serving complex has been designed with substantial opportunities and vantage points for public viewing of boating activity (i.e., viewing from elevated outdoor restaurant terrace fronting the Marina basin, from outdoor

seating and gathering areas on the site, from the waterfront pedestrian promenade and from the bicycle trail adjoining the pedestrian promenade).

Recreation & Visitor-Serving Facilities (“R&V-S”): LUP Chapter 2

- (R&V-S Policy 1) (*Calling for additional visitor-serving opportunities in new developments*). The proposed project fulfills this policy through its provision of new, quality restaurants on the site and substantial visitor- and boater-serving retail uses in the project. The project also includes lower-cost visitor facilities, including a new community room that will be available for use by area civic and community groups.
- (R&V-S Policy 2) (*Calling for additional recreational opportunities in new developments*). The project provides substantially enhanced on-site recreational opportunities through its development of an expansive public pedestrian promenade along the entire waterfront of the parcel, the realigned bicycle trail along the Admiralty Way-fronting portion of the promenade and outdoor public gathering and dining areas overlooking the Marina basin. Adequate recreational support facilities—such as drinking fountains, benches, bike racks and boaters’ restroom and lock facilities—will be provided in the project. Further, the project infuses new high-quality, visitor- and marine/boater-serving commercial uses on the site, including waterfront restaurants and retail shops (including substantial new boater-serving retail uses).
- (R&V-S Policy 3) (*Requiring protection of existing and proposed recreation and visitor-serving uses in the Marina*). Consistent with this policy, the project will infuse an assortment of new, high-quality visitor-serving and recreational uses on the site, including substantial new boater-serving retail uses, a new Trader Joe’s store, waterfront restaurants, new boater restroom facilities, a new yacht club space, a new community room space and new open-air dry-stack boat storage facilities.
- (R&V-S Policy 4) (*Calling for the protection and advancement of additional low-cost recreational and visitor-serving facilities/uses in the Marina*). The project will provide a range of visitor-serving retail amenities, including a new Trader Joe’s store, a “flagship” West Marine store, waterfront restaurants, and other retail establishments. The project also includes lower-cost recreational and visitor amenities, including an expansive pedestrian promenade along the entire waterfront portion of the site, realignment of the Marvin Braude Bicycle Trail along the Admiralty Way-fronting portion of the promenade and open public gathering, seating and dining areas overlooking the Marina basin.
- (R&V-S Policy 6) (*Parking*). The Applicant has provided vehicle and bicycle parking facilities on the site in conformance with County Code requirements for the proposed uses in the project, as outlined in the Parking Permit filed with this application.

- (R&V-S Policy 7) (*Parking Integration*) Consistent with this policy, project parking facilities will be integrated into the overall design of the project. As noted, the project, including proposed parking, has been reviewed and conceptually approved by the DCB.

Recreational Boating (“RB”): LUP Chapter 3

- (RB Policy 4) (*Protection of boating-related support facilities*). Consistent with this policy, the project will protect and enhance boating-related support facilities on the site, through replacement of the existing yacht club with a new yacht club facility in the project; through provision of open-air dry-stack/“rack” boat storage facilities on Bali Way; through provision of adequate boater parking facilities on the site, consistent with Code requirements for same; through provision of a new boat repair facility on the site; through provision of a new community room, which may be used by community boating groups; through provision of new boater restroom, laundry and locker facilities on the site; and through development of a new flagship West Marine boat retail store in the project.
- (RB Policy 5) (*Provision of new boat storage facilities in new projects*). The project complies with this policy through its provision of new open-air/“rack” dry-stack boat storage and conventional surface boat storage facilities on the Project’s Bali Way frontage.
- (RB Policy 9) (*Provision of adequate boater parking*). The project complies with this policy through its provision of onsite boater parking that is compliant with the 0.6 parking space/boat slip parking ratio specified in the LCP.

Marine Resources (“MR”): LUP Chapter 4

- (MR Policy 2) (*Reduce contaminated run-off into Marina waters*). This policy of the LUP requires that appropriate measures be taken to reduce contaminated runoff into the small craft harbor and Ballona Creek. The Applicant has completed a drainage concept, which will be approved by County Public Works prior to approval of the subject zoning application by the Regional Planning Commission. To avoid adverse impacts on the local Marina and greater ocean waters, the Applicant will be required to comply with National Pollution Discharge Elimination System requirements of the California Regional Water Quality Control Board, as well as all pertinent stormwater quality management programs of the Federal, State and County agencies.

Important Biological Resources (“IBR”): LUP Chapter 5

- Consistent with policies of the certified MDR LUP concerning important biological resources, prior to and during all project-related construction activities, the project CDP will condition Applicant to strictly comply with all applicable provisions contained in Policy Nos. 23 (“Marina del Rey Tree Pruning and Tree Removal Policy”) and 34 (“Marina del Rey Leasehold Tree Pruning and Tree Removal Policy”) as well as mitigation measures intended to minimize impacts to special-

status biological resources (contained within “Biological Report & Construction Monitoring Requirements”) identified for protection in the certified LCP.

Cultural Heritage Resources (“CHR”): LUP Chapter 7

- (CHR Policy 1) Consistent with the Policy, the project will be reviewed during the environmental review/CEQA review process to determine potential impacts, if any, on cultural resources, and will be required to appropriately mitigate any such potentially identified impacts in conformance with the requirements of the County and the State Office of Historic Preservation.
- (CHR Policy 2) Consistent with the Policy, in the event a cultural resource is found on-site during construction, it will be collected and maintained at the Los Angeles County Museum of Natural History, or other appropriate location as otherwise provided by state law.
- (CHR Policy 3) Consistent with the Policy, the Applicant will be conditioned to notify the County Department of Regional Planning and the State Historic Preservation Office in the event a cultural resource is discovered during any construction phase. A halt-work condition will be instituted in the event of cultural resource discovery during construction.

Land Use Plan (“LUP”): LUP Chapter 8

- (LUP Policy 1) (*“The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities. Development shall not detract from, nor interfere with, the use of existing or planned boating facilities, nor the ancillary uses which support these facilities.”*)

The classically visitor-serving development—with its expansive outdoor public spaces, waterfront promenade and realigned bicycle path, waterfront restaurants and visitor- and boater- serving retail establishments—directly advances the LCP’s “secondary purpose” of promoting new visitor-serving facilities. The project also advances the Land Use Plan’s “primary purpose” of maintaining the Marina as a small craft harbor for recreational purposes.

Project construction will be coordinated in a manner to ensure that the planned development will neither detract from nor interfere with the use of existing boating facilities, nor the ancillary uses which support these facilities.

- (LUP Policy 2) (*Maintenance of the physical and economic viability of the marina is a priority*). The project achieves this objective through redeveloping the dilapidating onsite uses with a new, vibrant visitor-serving restaurant and retail complex with boater- and community-serving uses (new open dry-stack boat storage racks, boat repair shop, boater restroom and locker facilities, yacht club and community room). The proposed new development will help ensure maintenance of the physical and economic viability of the marina.

- (*Land Use Consistency*). The proposed project meets all applicable policies and development standards of the certified LCP, including, but not limited to, adequate parking, view corridors, building height, development intensity for the site per the LCP, public access to the shoreline, provision of new usable public recreation and open space (waterfront public pedestrian promenade and realigned bicycle path) and provision of adequate traffic capacity. Consistent with requirements of the applicable Waterfront Overlay Zone (per LACC 22.46.1730.C), the proposed project provides improved public shoreline access, public recreational use, public views and day use by the general public, without detracting from public recreation facilities, including boat slips.

Coastal Visual Resources (“CVR”): LUP Chapter 9

- (CVR Policy 1) (*Views of the Harbor a Priority*). The project provides LCP-compliant view corridors across the parcel from Admiralty Way, Bali Way and Mindanao Way to the water. Public viewing of the harbor will be further enhanced through the project’s development of a 28-foot-wide public pedestrian promenade along the site’s entire water frontage, through realignment of the Marvin Braude Bicycle Path parallel to the waterfront promenade, and through provision of expansive public outdoor gathering areas overlooking the Marin basin. The entirety of the property’s water frontage will be made available for public viewing of the waterfront. The most valuable, visible, desirable area of the site—the waterfront—will be fully enhanced for public use.
- (CVR Policy 2) (*Signage*). Consistent with this policy, project signage will be in keeping with the character of the neighborhood and will be subject to review and approval by the Regional Planning Commission and the Marina del Rey DCB.
- (CVR Policy 4) (*Design Control Board Review*). Consistent with this policy, the DCB has reviewed and conceptually approved this development proposal for consistency with the policies and objectives of the LCP.
- (CVR Policy 6) (*View protection*). Consistent with this policy, the project incorporates harbor views from streets and pedestrian access ways consistent with security and safety considerations. As noted, the project provides view corridors from public streets to the Marina waters consistent with LCP requirements.
- (CVR Policies 7&8) (*Building height standards*). The LCP designates Parcel 44 as “Height Category 3,” which limits buildings to 45 feet, unless an expanded view corridor is provided, in which case the height shall not exceed a maximum of 75 feet. Proposed building heights, and corresponding view corridors, on Parcel 44 will comply with this requirement.

Hazards Chapter: LUP Chapter 10

- (Hazards Policy 1) (*Flood and Drainage review*). Consistent with this policy, the Applicant will submit flood control, runoff and storm drain plans to the County Department of Public Works for review and approval prior to commencement of construction, consistent with the Santa Monica Bay Recovery Plan.
- (Hazards Policy 2) (*Geotechnical review*). The Applicant has submitted a preliminary geotechnical report to County Department of Public Works as part of its application filing, the content of which is compliant with LCP requirements; site development will be based on thorough site-specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading.
- (Hazards Policy 3) (*Earthquake engineering*). Consistent with this policy, the project will utilize earthquake resistant construction and engineering practices, in full compliance with applicable County and state regulations and ordinances. Preliminary engineering mitigation and planned structural setbacks for the project have been designed for a bedrock acceleration of no less than 0.5g and high potential for liquefaction.

Circulation (“CIR”): LUP Chapter 11

The policies of this chapter of the LUP detail appropriate circulation improvements that must be completed in order to mitigate traffic impacts of all potential development in the Marina. This LUP chapter also establishes traffic mitigation fees that must be paid for all new development based on the increase in p.m. peak hour trips generated by the project.

- Consistent with the policies of this LUP chapter, the applicant will be conditioned by Public Works to pay, prior to issuance of a building permit for the project, its fair-share of developer traffic mitigation fees based on the number of additional PM peak-hour trips generated by the project. These fees will be used by the County to fund the Revised Set of Intersection Improvement Projects set forth in LACC 22.46.1100.C., and the transportation improvements to the Regional Transportation System shown on Map 16 of the Marina Del Rey Land Use Plan.

Public Works (“PW”): LUP Chapter 12

- (PW Policy 2) (*Public Works improvements phasing*). Necessary public works facilities/infrastructure will be provided for the project before a Certificate of Occupancy is obtained from the County by the Applicant for the project.

Water and Sewer Services

- (PW Policy 3) Consistent with this policy, project building permits will not be issued by the County unless and until the Applicant is able to provide proof of available water and sewerage facilities and capacity.

- (PW Policy 4) Consistent with this policy, if existing water or sewer capacities and/or facilities are inadequate to service the project, then the Applicant will be required to increase and/or improve such capacities and/or facilities to a level acceptable to County Public Works during construction of the project.
- (PW Policy 5) Consistent with this policy, the project will be conditioned to assure that installation of any new water or sewer lines is accomplished in an environmentally sensitive manner.
- (PW Policy 6) Consistent with this policy, the project will be conditioned to incorporate water-conserving technology consistent with local, state and/or federal regulations affecting same. County Public Works will review the project plans and will assure that water conservation measures and techniques are incorporated.

Fire and Emergency Services

- (PW Policy 8) Consistent with this policy, the project provides a minimum 28-foot-wide fire lane (dual-use promenade/fire lane) along the bulkhead. All fire access lanes in the project will be designed to maintain unimpeded access, clear to sky, with no benches, planters or fixed objects.
- (PW Policy 9) Consistent with this policy, the project includes a 28-foot-wide, dual-use public pedestrian promenade/fire lane along the Parcel 44 bulkhead (i.e., dual promenade/fire access lane).
- (PW Policy 10) Consistent with this policy, the project will be fully sprinklered in conformance with Fire Department requirements.
- (PW Policy 11) Consistent with this policy, the project will be subject to review and approval by the County Fire Department for fire emergency access requirements prior to issuance of building permits. As noted, the Applicant has already obtained the Fire Department's conceptual approval of fire access lanes, fire hydrant locations and fire service water flow rates for the project.

[Note: The policies of LUP Chapters 13 "Diking, Dredging, Filling & Shoreline Structures" and 14 "Industrial Development & Energy Facilities" are not applicable to this project.]

2. *That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code:*

(Applicable Coastal Act Sections below)

COASTAL ACT PUBLIC ACCESS POLICIES

CA Coastal Act (“CCA”) Section 30210:

“In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from overuse.”

The proposed project fully complies with CCA Section 30210, as set forth in detail in Applicant’s responses above addressing project consistency with the Policies contained in LUP Chapters 1-3 & 9 (“Shoreline Access,” “Recreational Boating,” “Recreation & Visitor-Serving Facilities,” and “Coastal Visual Resources”).

CCA Section 30211:

“Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.”

As detailed in Applicant’s responses above addressing project consistency with the Shoreline Access and Coastal Visual Resources policies of the LUP (LUP Chapters 1 and 9), the project does not interfere with, but, rather, enhances the public’s right of access to the Marina waters.

CCA Section 30212(a):

“Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...”

The project complies with this CCA section, as detailed in Applicant’s responses above concerning SA Policy 1, SA Policy 4 and CVR Policy 6.

CA Section 30213:

“Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...”

As detailed throughout above, the project contains abundant lower-cost recreational and visitor amenities, including a 28-ft-wide pedestrian promenade along the entire

waterfront portion of the site, realignment of the Marvin Braude Bicycle Path on the site, public gathering and seating areas, and a community room.

COASTAL ACT RECREATION POLICIES

CCA Section 30221:

“Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.”

As outlined in the LUP consistency responses above, the proposed project advances this CCA Section by substantially enhancing and improving visitor-serving and public recreational uses of the site over existing conditions. As noted herein, the proposed project will enhance public recreational and visitor-serving use of the site through provision of a new public waterfront promenade; realignment of the Marvin Braude Bicycle Trail parallel to the waterfront promenade; installation of public access signage on the site; and through provision of an assortment of high-quality visitor-serving uses (e.g., restaurants and shops and marine commercial/boater-serving uses).

CCA Section 30223:

“Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.”

As set forth in the Applicant’s responses to the Recreational & Visitor-Serving Facilities and Recreational Boating policies of the LUP (“R&V-S” and “RB” policy responses above) and as shown on the project plans, sufficient upland space has been reserved to support an assortment of landside coastal recreational uses: i.e., waterfront public pedestrian promenade, realigned bicycle path and outdoor dining and gathering areas overlooking the Marina basin.

**Parcel 44 Visitor- and Boater-Serving Retail Project
Burden of Proof Statements for Conditional Use Permit
Pacific Marina Venture, LLC (Applicant)**

This exhibit has been prepared pursuant to Section 22.56.040 of the Los Angeles County Code (LACC), which contains the requisite findings for approval of a conditional use permit in unincorporated Los Angeles County. Each required finding is listed below in italicized, bolded font. The applicant's description of how the proposed development project satisfies each finding follows in normal font.

Description of Conditional Use Permit Request:

- Per LACC 22.46.1720.A, development of the proposed visitor- and boater-serving retail project in conformance with the standards of the Waterfront Overlay Zone.

Required Findings for the Project Conditional Use Permit:

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

Utilizing the development flexibility afforded by the subject property's Waterfront Overlay Zone ("WOZ") designation, the Applicant proposes to demolish the existing dilapidating commercial buildings and appurtenant facilities on Parcel 44 and to subsequently develop a new visitor- and boater-serving retail project on the site containing a variety of retail establishments (including both a Trader Joe's grocery and a flagship West Marine store), waterfront restaurants, a community room, a boat repair facility and hoist, open boat storage racks, a new yacht club, marine-related offices and convenient and abundant onsite parking (including ample onsite parking facilities for bicycles). As part of the project, the Applicant will also provide substantial new public amenities currently lacking at the site, including a new expansive waterfront pedestrian promenade along the entirety of the parcel's bulkhead, public outdoor plaza areas, public outdoor seating areas overlooking the water and a realigned bike path adjacent to the waterfront pedestrian promenade. The proposed project will only serve to encourage the public's enhanced use and enjoyment of the Marina and coastal resources.

The proposed visitor- and boater-serving project is consistent with the stated intent of the WOZ designation to "encourage coastal-related and coastal-dependent land uses while increasing development flexibility" (LACC 22.46.1700). Moreover, consistent with LACC 22.46.1730.C, the proposed project provides improved public shoreline access, public recreational use, water viewing opportunities and day use by the general public, without detracting from public recreation facilities, including boat slips. Project operations will in no way adversely affect the health, safety, peace, comfort or

**Parcel 44 Visitor- and Boater-Serving Retail Project
Burden of Proof Statements for Conditional Use Permit
Pacific Marina Venture, LLC (Applicant)**

welfare of persons working or residing in the project vicinity. To the contrary, nearby workers, boaters, Marina visitors and residents will only benefit from the project, by frequenting the center to dine, shop and recreate at a waterfront setting. Moreover, the project will provide abundant and convenient onsite parking facilities (including bicycle parking), thereby ensuring that spill-over parking onto adjacent streets does not occur, and will realign the existing bike path that currently meanders through the parcel's surface parking areas in a safer and more convenient "straight-line" orientation adjacent to the new waterfront pedestrian promenade to be developed on the parcel.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

To the contrary, project operations will only positively affect properties and persons in the vicinity of the subject property. As noted, nearby workers, boaters, Marina visitors and residents will benefit directly from the project by frequenting the center to dine, recreate and shop. Moreover, the project will provide abundant and convenient on-site parking facilities, thereby ensuring that "spill-over" parking onto adjacent streets does not occur. Redeveloping the parcel's dilapidating existing facilities with a new, vibrant visitor- and boater-serving complex will only positively impact the valuations of surrounding leasehold properties.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

After project development, as today, the subject property will be managed by a professional real estate management company. Moreover, each business located within the center will be subject to numerous operational conditions in their respective leases, in addition to those imposed on the project by the County as part of the project permit approvals, intended to ensure the businesses' compatibility with the center and the surrounding neighborhood. Any future sale of alcoholic beverages at the center's restaurants or grocery, for example, would be subject to both County and State regulation and oversight, thus ensuring this activity's compatibility with surrounding uses. In this manner, the proposed project will not serve to jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

As depicted on the project site plan submitted with the application, and as detailed in the project EIR and Applicant's Burden of Proof statement for the project Coastal

**Parcel 44 Visitor- and Boater-Serving Retail Project
Burden of Proof Statements for Conditional Use Permit
Pacific Marina Venture, LLC (Applicant)**

Development Permit, the subject Parcel 44 is of sufficient size and shape to accommodate the parking, yards, walls, fences and loading facilities, landscaping and other development features prescribed in the County Zoning Code, or as is otherwise required in order to integrate the proposed uses with the uses in the surrounding area.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate.

As described in detail in the project traffic study, access to the project will be provided via Admiralty Way, Mindanao Way and Bali Way, which are fully-improved public streets. As confirmed in the project traffic report, upon project completion, adjacent streets serving the project will be of sufficient width necessary to carry the kind and quantity of traffic that will be generated by the project.

2. By other public or private service facilities as are required.

As described in detail in the project EIR, the project will be adequately served by public fire, law enforcement, utility and/or other public services, as required.

**Parcel 44 Visitor- and Boater-Serving Retail Project
Burden of Proof Statements for Parking Permit Application
Pacific Marina Venture, LLC (Applicant)**

This exhibit has been prepared pursuant to Section 22.56.1020 of the Los Angeles County Code (LACC), which outlines the requisite findings for approval of a parking permit. Each required finding is listed below in italicized font. The applicant's description of how the proposed development project satisfies each finding follows in bold font.

The applicant shall substantiate to the satisfaction of the Planning Commission the following facts:

- A. *That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because...*

Code-required parking for the proposed project—if assuming all of the project's uses were parked on a “stand-alone” basis per the Zoning Code and once eligible parking reductions are taken for the provision of excess bicycle parking onsite—is 480 parking spaces. However, based on the findings of the shared-parking analysis prepared for the project by the professional traffic and parking engineering firm of Hirsch/Green Traffic Consultants (appended to the project EIR), the project's peak parking demand (which is anticipated to occur during the weekday mid-day period between about 1PM and 2PM) will require a total of 457 onsite parking spaces to adequately service the project. The project will provide a minimum of 462 onsite parking spaces to serve the proposed uses, or five parking spaces more than are required to adequately service the project at its peak parking demand periods (this constitutes only a 4% parking reduction from the 480 parking spaces that the Code would otherwise require for the project). Proposed onsite parking includes 258 full-sized spaces (56 percent), 184 compact spaces (40 percent) and 20 handicap accessible spaces (4 percent). Because the project will provide more onsite parking than is projected to be necessary to adequately service the project at peak parking demands, no significant onsite parking impacts or operational issues are expected.

- B. *That there will be no conflicts arising from special parking arrangements allowing...tandem spaces because:*

Regarding Request for Tandem Parking:

Approximately 68 of the total 462 proposed onsite parking spaces are configured as tandem spaces. The inner-most tandem parking spaces would be “coned-off” during normal operations of the project's tenants and no valet or attendant assist parking operations would typically be required during these periods. The inner-most tandem parking spaces are envisioned to be utilized only during periods of heavy parking demand for the site itself, or as supplemental parking for special events (such as concerts at nearby Burton Chace Park, or during the annual July 4th

fireworks show) occurring elsewhere in the Marina. As described above, the project will provide adequate onsite parking and no parking shortages or “overflow” parking onto adjacent streets or public parking areas are anticipated. Additionally, the parking spaces required by each of the proposed component uses will generally be provided adjacent to or in close proximity to such uses.

As configured, and with the proposed valet service to be employed only during heavy-use periods at the shopping center or during special events, the tandem parking area will constitute an alternate parking arrangement that—while not compromising vehicular ingress, egress and movement throughout the site—will enable the applicant to maximize onsite parking for the site.

- C. *That off-site facilities, leases of less than 20 years, rear lot transitional parking lot and uncovered residential parking spaces...*

This finding is not applicable since the applicant is not requesting off-site parking, transitional parking or uncovered residential parking.

- D. *That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.*

To the contrary, approval of the requested parking permit will enable implementation of a contemporary parking design for the project that will ensure more efficient traffic circulation throughout project site. The new parking/drive aisle configurations will lead to a reduction in traffic congestion/vehicular queuing at the site and will result in a marked safety improvement over existing conditions. This is especially true in light of the Applicant’s proposal as part the project to realign the bike path, which currently meanders through the parcel’s surface parking field, in a straight line adjoining the project’s proposed waterfront pedestrian promenade to be oriented along the parcel’s Admiralty Way frontage. The bike path’s current meandering alignment through the parcel’s surface parking field serves to disrupt normal vehicular travel through the site and results in a potential safety hazard to cyclists. Approval of the requested parking permit for modest tandem commercial parking (only during heavy-use periods at the center or during special events) will also enable the applicant to maximize the number of onsite parking spaces provided in the project; this, in turn, will help insure that on-street parking and unauthorized use of adjacent, off-site parking facilities is kept to a minimum.

- E. *That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in the Zoning Ordinance.*

As depicted on the site plan submitted with this application, the proposed site is of a

sufficient size and appropriate shape to appropriately accommodate the proposed commercial tandem parking facilities.

**Parcel 44 Visitor- and Boater-Serving Retail Project
Burden of Proof Statements for Variance Application
Pacific Marina Venture, LLC (Applicant)**

This exhibit has been prepared pursuant to LACC Section 22.56.290, which outlines the requisite burden of proof for approval of a variance in the County of Los Angeles. Each required variance finding is numbered in italicized, bolded font, and is followed, in normal font, by the Applicant's explanation of how each finding is being satisfied in this case.

Variance Request:

The Applicant is requesting a variance from development standards contained in:

- LACC Section 22.46.1410 (Development Standard applicable to the Visitor-Serving/Convenience Commercial land use category), to permit a reduction in the 10-foot-wide yard setback along the parcel's shared property line with Parcel 43 (on the Bali Way portion of the project site) and along a portion of the parcel's Bali Way street frontage to accommodate installation of open boat storage racks in these areas of the site. In lieu of the normally required 10-foot-wide yard, a 3-foot-wide yard will be maintained along the parcel's shared property line with Parcel 43 and an 89-foot-wide yard will be maintained along the affected portion of Bali Way.

Applicant's Burden of Proof for Variance:

1. ***That there are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification; and***

There are special circumstances applicable to the property, including the LCP requirement for provision of public recreational space (i.e., 28-foot-wide waterfront pedestrian promenade), the relatively narrow depth of the parcel the Bali Way mole road, and the certified LCP's requirement that new developments replace boater-serving uses and facilities on the parcel which justify the requested yard setback reduction variance. Moreover, existing development on adjoining parcels eliminates the development alternative of acquiring additional property or adjusting lot lines to create additional developable area to accommodate the 10-foot yard setback adjacent to the parcel's shared property line with abutting Parcel 43.

A review of the site plan shows a series of design features required by the Marina del Rey Specific Plan that limit the area available to the footprint of the proposed development, and the resulting necessity to vary somewhat from yard setback standards, as proposed. These required design regulations include the 28-foot-wide waterfront public pedestrian promenade, building height limitations, maintenance of public view corridors to the water from adjacent public streets and other specific requirements.

Attachment D

Marina del Rey Parcel 44: visitor-and boater-serving commercial development Burden of Proof Statements for Variance Application Pacific Marina Venture, LLC (Applicant)

The applicant's provision of open dry boat storage racks is a critical boater-serving amenity of the project. The orientation of proposed development on the parcel and its associated required design features (including surface parking, required driveway dimensions and required promenade width) necessitates that the outdoor boat storage racks—which are boater-serving features of the highest priority that are required to be provided in the project pursuant to the LCP—be placed within a portion of the parcel's required yards.

2. *That such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone; and*

The requested variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone inasmuch as the County's Regional Planning Commission has previously approved similar yard setback reduction variances for five other Marina waterfront projects located in the same "Specific Plan" zone and vicinity: see Variance Case Nos. 98-172-4 pertaining to development on Parcel 20; Variance Case No. 98-134-4 pertaining to development on Parcels 12 & 15; Variance Case No. 2006-00013-(4) pertaining to development on Parcel 10R; Variance Case No. 2006-00014-(4) pertaining to development on Parcel 14; and Variance Case No. 200600012 pertaining to development on Parcel 9U.

3. *That the granting of the variance will not be materially detrimental to the public welfare or be injurious to other property or improvements in the same vicinity and zone.*

The character of existing and planned development in this area is for visitor- and boater-serving retail and related boater facilities. The proposed project at this location is consistent with this development concept and with the site zoning. With respect to the requested variance for reduced yards on two portions of the Bali Way "leg" of the parcel, this request is driven by the Applicant's desire to provide open dry boat storage facilities on the site, as directed by the LCP; the proposed location is the only location that will work for the proposed racks, given the parcel's relatively narrow configuration along Bali Way and applicable site design and zoning requirements pertaining to surface parking, drive aisle dimensions and waterfront pedestrian promenade, among others. The racks will be unintrusive in design and stature and will be fully compatible with the "boater-centric" character of this portion of the marina. For these reasons, the granting of the subject variance will not be detrimental to the public welfare or injurious to other property or improvements in the same zone and vicinity.

Attachment D

Marina del Rey Parcel 44: visitor-and boater-serving commercial development Burden of Proof Statements for Variance Application Pacific Marina Venture, LLC (Applicant)

- 4. That the requested use at the location proposed with not: 1) adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; 2) be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or 3) jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.***

Development of the requested uses (i.e., a visitor- and boater-serving shopping center and dry stack boat storage facility) on the subject property will provide multiple benefits both to persons residing and working in the project vicinity, and to persons who visit the shopping center from more remote locations; the subject open boat storage racks are an essential boater amenity of the project. As noted, the boat racks will be unintrusive in design and stature and will be fully compatible with the “boater-centric” character of this portion of the marina, adding positively to the location’s boating aesthetic. There is no evidence that approval of the requested uses on the subject parcel will in any way adversely affect the health, peace, comfort or welfare of the public; be detrimental to the use, enjoyment or valuation of property of other persons in the vicinity of the site; or jeopardize, endanger or constitute a menace to the public health, safety or general welfare. To the contrary, approval of the proposed uses on the site will only beneficially serve the public’s convenience and enjoyment for many years to come.

- 5. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.***

As depicted on the project site plan submitted with the application, and as detailed in the project EIR and Applicant’s Burden of Proof statements for the project Coastal Development Permit, Condition Use Permit and Parking Permit, the subject parcel is of sufficient size and shape to accommodate the proposed signs, parking, yards, walls, fences and loading facilities, landscaping and other development features prescribed in the County Zoning Code, or as is otherwise required in order to integrate the proposed uses with the uses in the surrounding area.

- 6. That the proposed site is adequately served: 1) by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and 2) by other public or private service facilities as are required.***

As described in detail in the project traffic study, access to the project will be provided via Admiralty Way, Mindanao Way and Bali Way, which are fully-improved public streets. As confirmed in the project traffic report, upon project completion, adjacent streets serving the project will be of sufficient width necessary to carry the kind and quantity of traffic that will be generated by the project.

Attachment D

**Marina del Rey Parcel 44: visitor-and boater-serving commercial development
Burden of Proof Statements for Variance Application
Pacific Marina Venture, LLC (Applicant)**

As described in detail in the project EIR, the project will be adequately served by public fire, law enforcement, utility and/or other public services, as required.

From: [Blaine Lentz](#)
To: [Kevin Finkel](#)
Subject: County Project No. R2013-01647-(4)
Date: Thursday, August 06, 2015 3:43:49 PM

Dear Commissioners,

I appreciate the opportunity to offer my input re: County Project No. R2013-01647-(4), specifically Parking Permit No. 201300012.

I vehemently oppose a reduction in Code-required parking for this project. I am a fifteen-year resident of Marina del Rey and in that time I've watched seemingly unbridled growth, combined with largely ineffective traffic mitigation and little more than lip service paid to parking. As evidence I offer the fact that there are now parking guards required at both the Waterside shopping center and also the parking lot which houses Costco and In-n-Out on Washington Boulevard to control the traffic snarls that frequently spill out onto Admiralty Way and Washington Blvd., respectively. (And yes, I understand that the Costco address is technically Culver City, but it is the marina-generated traffic which is primarily responsible.)

The fact that the powers-that-be deem it necessary to have a parking valet included in the permit for this project should be the most graphic possible red flag that the proposed parking is inadequate.

On a somewhat separate note, I hope there will be abundant dockage provided for dinghies and visiting boaters, as this will be the preferred way for marina boat owners to access these new facilities, and as an added benefit, will decrease both vehicle traffic and parking requirements.

Respectively,

Blaine Lentz
Anchorage 47
Marina del Rey

**Marina del Rey
Lessees Association**

C/o Mr. Timothy C. Riley, Executive Director
8537 Wakefield Avenue
Panorama City, CA 91402
Telephone: 818-891-0495; FAX: 818-891-1056

August 12, 2015

Los Angeles County Regional Planning Commission
320 West Temple Street, Room 1350
Los Angeles, CA 90012

RE: Project R2013-01647-(4) – Parcel 44
Regional Planning Commission agenda, August 26, 2015

Dear Chairman Modugno and Honorable Commissioners:

For the past two years, beginning with consideration of the development plans for Parcel 44 by the Design Control Board, the Marina del Rey Lessees Association has publicly supported the plans of Pacific Marina Ventures, LLC, for the redevelopment of the outmoded project site occupied by boaters and marine commercial tenants.

The Association supports the proposed redevelopment of Parcel 44 (Pier44). From our perspective, there are several salient points in favor of the proposed development under consideration by the Regional Planning Commission. The Pier 44 Project is consistent with the Marina del Rey Local Coastal Program (LCP) in that the project does not require any amendment to the existing LCP. The Project also complies with the requirements of the Zoning Code and the development standards of the Marina.

The Project has received the unanimous support of the Small Craft Harbor Commission and the Design Control Board. As a result of input received from these County entities and the public, the Project has been further refined and improved on several fronts, creating an even better project than the one initially reviewed by the Design Control Board two years ago.

Most significantly, the Project now provides a wider view corridor along Admiralty Way, offering views of the water in excess of LCP requirements. The redesign and massing along Admiralty Way widens and intensifies the drive-by water view at an entry midway between Mindanao and Bali, resulting in a highly appealing amenity that was desired by the community.

The bike path through Pier 44 has been reconfigured for a clear and safe transition from Bali to Mindanao, with a dedicated 10-foot wide bicycle promenade that is

combined with a separate 28-foot wide walking promenade which results in the creation of an expansive waterside experience for bicyclists and pedestrians.

The South Coast Corinthian Yacht Club will now have its own separate building, including many boater-serving amenities. The Applicant worked with the boating community to achieve greater accessibility from street-level parking conveniently located near the boat slips. The West Marine building has been designed to be an iconic entry to Marina del Rey.

The Pier 44 Project will do much to enhance visitor-serving commercial uses. The Applicant proposes to bring the popular specialty market of Trader Joe's to the Marina. Restaurants as well as casual outdoor dining areas will be located with great views of the water, which will appeal to residents and visitors alike for the waterside experience.

The Marina del Rey Lessees Association believes the redevelopment of Pier 44, as envisioned by the Lessee, will bring a beneficial improvement to the entire community, and we hope the Regional Planning Commission will look favorably upon a project that enhances Marina del Rey.

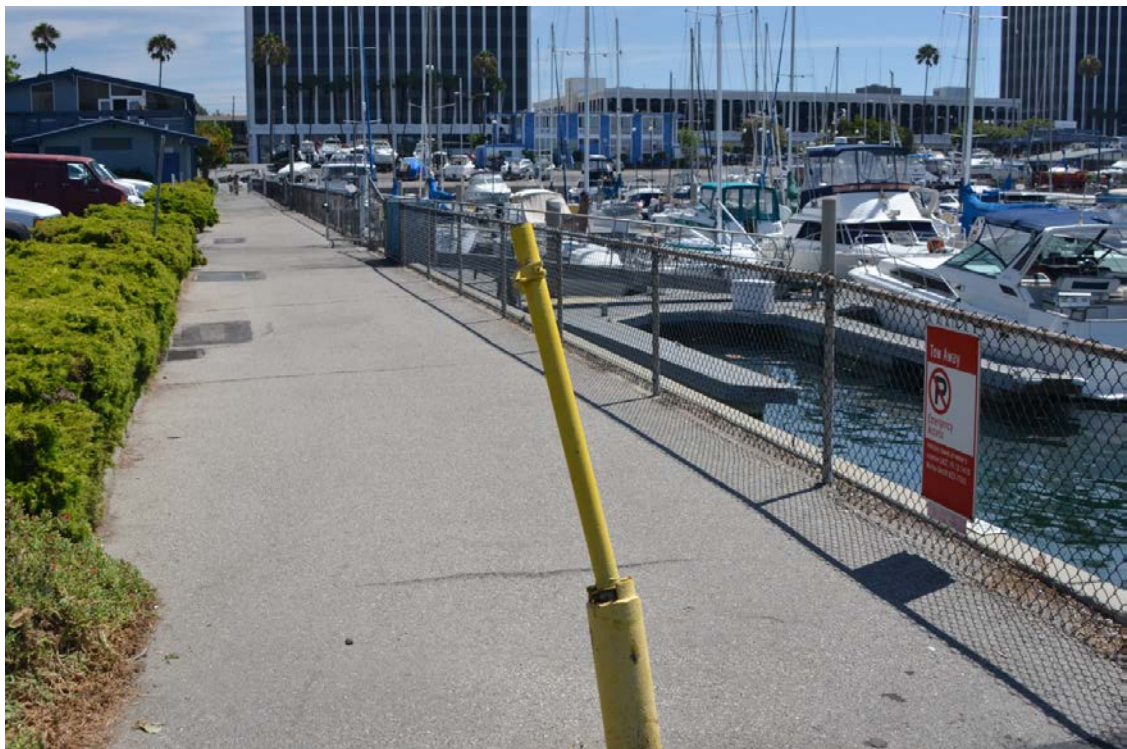
Sincerely,

A handwritten signature in cursive script that reads "David O. Levine".

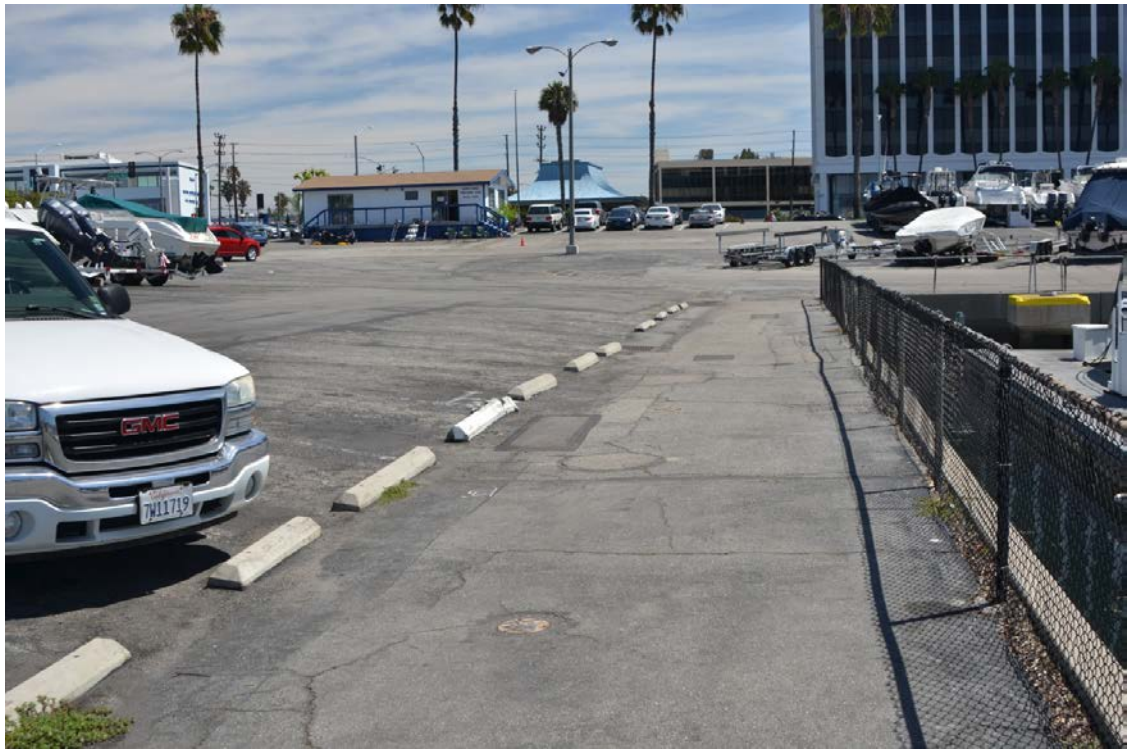
David O. Levine
President, Marina del Rey Lessees Association

Site Photos











COMMUNITY PLAN

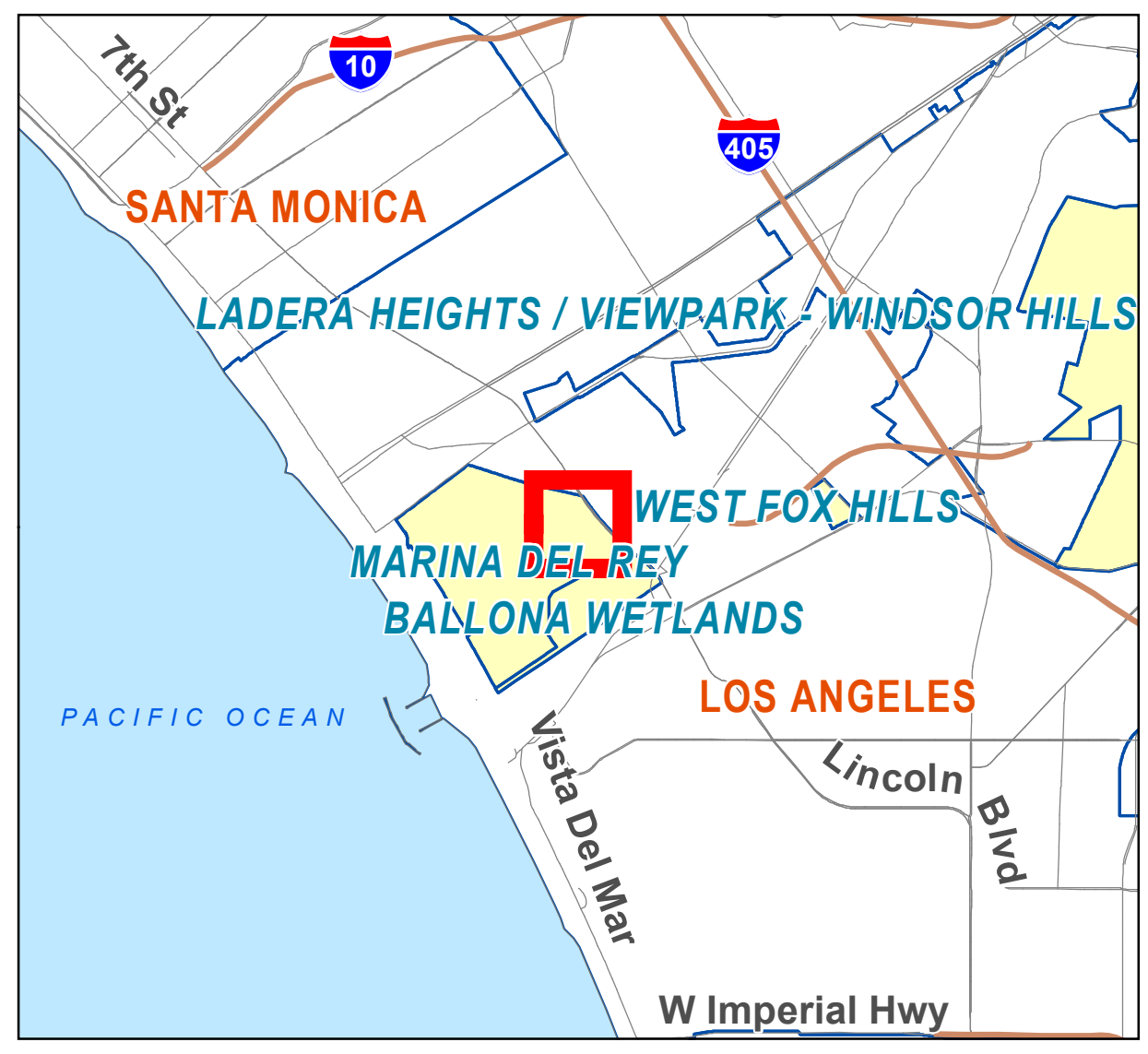
COMMUNITY PLAN 700 FOOT RADIUS MAP

Proj. R2013-01647 (4)
RCDP 2013-00003
RCUP 2013-00166
RPKP 2013-00012
RVAR 2013-00004

Legend

- H - Hotel
- VS/CC - Visitor-Serving / Convenience Commercial
- O - Office
- MC - Marine Commercial
- B - Boat Storage
- P - Parking
- PF - Public Facilities
- OS - Open Space
- W - Water

VICINITY MAP



0 60 120 240 360 480 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

LAND USE

LAND USE 700 FOOT RADIUS MAP

Proj. R2013-01647 (4)
RCDP 2013-00003
RCUP 2013-00166
RPKP 2013-00012
RVAR 2013-00004

Legend

- INSTITUTION / PUBLIC FACILITY
- PARKS & GOLF COURSES
- COMMERCIAL
- WATER
- VACANT

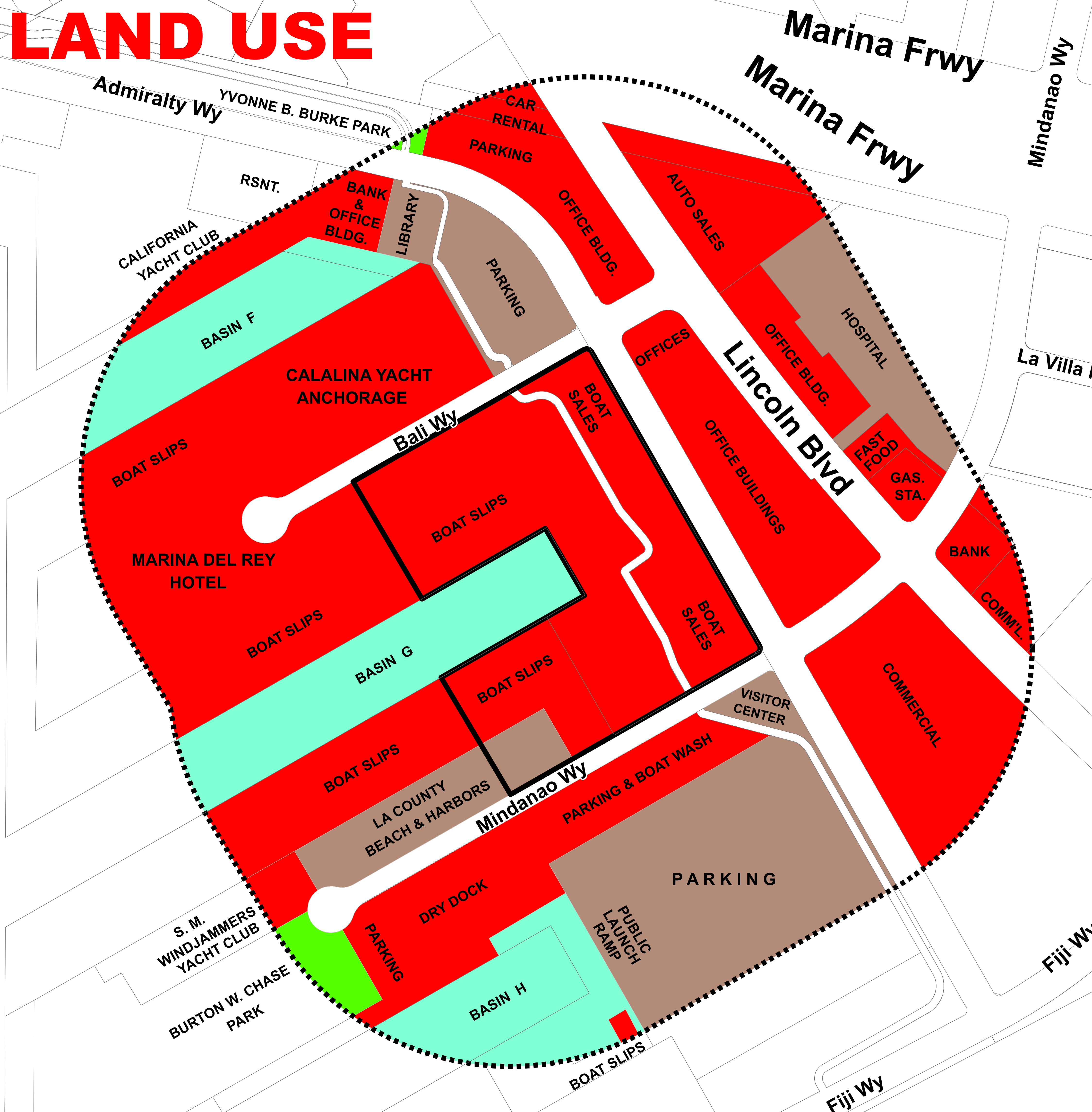
VICINITY MAP



0 60 120 240 360 480 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



**DESIGN CONTROL BOARD MINUTES
SPECIAL MEETING
July 16, 2013**

Members Present: Peter Phinney, AIA, Chair (Fourth District); Helena Jubany, Vice Chair (First District) Simon Pastucha, Member (Third District), Tony Wong, P.E, Member (Fifth District)

Members Absent: None

Department of Beaches and Harbors Staff Present: Gary Jones, Deputy Director; Charlotte Miyamoto, Planning Division Chief; Michael Tripp, Planning Specialist; Ismael Lopez, Planner; Yeni Maddox, Planning Division Secretary

County Staff Present: Anita Gutierrez, Department of Regional Planning; Amy Caves, County Counsel

Guests Testifying: Gary Adams, Drybar; Jill Peterson, Pacific Ocean Management, LLC; Hannah Hempstead, Next Wave Gallery; Brittany Barker, LA County, Dept. of Public Works (DPW); Richard Shieh, DPW; Mary Ann Bennett, DPW; Aaron Clark, Armbruster, Goldsmith & Delvac, LLP; Jack Hollander, JIH & Associates; Michael Pashaie, Pacific Marina Venture, LLC; Randy Mason, URS Corp.

1. Call to Order and Pledge of Allegiance

Chair Phinney called the meeting to order at 6:32 PM.

Commissioner Wong led the Pledge of Allegiance.

2. Approval of June 19, 2013 Minutes

Postponed for August 21, 2013 meeting.

3. Public Comment

Jon Nahhas spoke about night Design Control Board (DCB) meetings and the Visioning Process.

Nancy Marino spoke about the design review of new construction in the Marina.

4. Consent Agenda

No Items

5. Old Business

A. Parcel 44 – Pier 44 – Consideration of conceptual site redevelopment and DCB Review related thereto – DCB #08-015

Mr. Lopez presented the project staff report.

Mr. Pashaie introduced himself and gave a brief summary of the project.

Mr. Clark added that there will be a full traffic study and traffic improvements. He also mentioned that a scoping meeting will be held pursuant to the California Environmental Quality Act (CEQA) and encouraged everyone to attend.

Mr. Hollander mentioned that changes were made to the architectural plans that the Board members received earlier in the week, and then proceeded to give details of those changes.

Mr. Wong asked about the amount of boat storage in the dry boat rack area and the number of levels that the racks will have.

Mr. Hollander replied that the dry boat rack will have four levels and store 76 boats.

Chair Phinney asked about the waterside improvements, specifically the location of the water taxi stops and the slip mix.

Mr. Clark noted that the waterside components had already been approved by the Coastal Commission and currently have a bifurcated permit. He then asked Mr. Mason to address Chair Phinney's questions.

Mr. Mason pointed out the specific locations of the dinghy docks, transient docks and water taxi stops.

Public Comment

Ray Garcia, David Levine, Michael Schneider, Marvin Sachse, Paul Seymour, Barry Davis, Win Weaver, Laura Grillon, Doug Yokomizo, Willie Jorth, Steve Vincent, and Stuart Coleman, expressed their support for this project.

Samantha Carlson, Roslyn Walker and Nancy Marino, expressed their disapproval of the project.

Jon Nahhas discussed what he felt were the pros and cons of the project.

Board Comment

Chair Phinney recommended additional access for boaters to the restaurant, Trader Joe's and West Marine. He spoke about the importance of the water taxis and suggested moving Building V onto Bali Way to increase the view to the water. He also suggested adding seating areas along the promenade and for the Corinthian Yacht Club to work with lessee about their space. Chair Phinney recommended scaling down the Trader Joe's building and giving additional attention to the West Marine building. Lastly, he asked about the availability of public restrooms and secured bike racks/storage.

Mr. Pastucha suggested splitting up Building V or the possibility of relocating it to Bali Way as was suggested by Chair Phinnney and gave additional suggestions on enhancements to the promenade.

Vice-chair Jubany disclosed her meetings and e-mail exchanges with the applicant and asked the Board members for their thoughts regarding the four buildings being distinct in architecture. She also suggested scaling down the Trader Joe's building.

Mr. Pastucha and Chair Phinney encouraged the differentiation of the buildings.

Mr. Hollander suggested splitting up Building V and leaving a 60' wide view corridor in between the buildings. He would rather lose some square footage than move the building onto the mole road.

Mr. Pashaie expressed his gratitude for all the constructive criticism and addressed some of the concerns expressed by the public.

Chair Phinney gave additional design input for the site plan without making specific requirements.

Mr. Clark expressed his appreciation of the Board's feedback and mentioned his dislike of the idea of moving Building VI to the mole road.

Chair Phinney asked staff about the possibility of making a motion for a preliminary site plan approval with suggestions outlined at the meeting.

Mr. Wong stated that the conditions need to be specified in the motion.

Mr. Pastucha suggested a motion with the following conditions: Revise Building V to allow a wide central view corridor along Admiralty Way; provide additional pedestrian enhancements and connections in the second view corridor between Mindanao Way and Admiralty Way; additional landscaping and promenade enhancements; and improved distribution of bicycle parking.

Vice-chair Jubany suggested the scaling down of the Trader Joe's building, increased differentiation between Building VI and the other proposed buildings, and further development of Building VII.

Chair Phinney asked if staff was prepared to read a motion back.

Ms. Miyamoto recommended a Board review at the next monthly meeting, so that staff, lessee, and the Board members would be clear on the specified conditions.

Mr. Pashaie stated that he preferred to obtain a preliminary approval, however his team would continue to work on site plans to incorporate the Board members conditions.

Chair Phinney asked if staff needed to come back next month with the verbiage of the motion.

Mr. Jones replied affirmatively and advised the Board members that they could still vote on the proposed motion.

On a motion of Mr. Pastucha, seconded by Mr. Wong, this item was approved unanimously with the following conditions:

- Revise design, massing and orientation of Building V to allow a wide central view corridor toward Basin G from Admiralty Way;
- Include pedestrian enhancements and improve pedestrian connections throughout the parcel including at the intersection of Admiralty Way at Mindanao Way. Landscaping in view corridors should be kept low to avoid interfering with the view of the Marina;
- Enhance pedestrian promenade and bicycle path with amenities and additional landscaping;
- Distribute bicycle parking stalls in multiple locations and near entry ways throughout parcel, rather than in one centrally located area;
- Reexamine mass and scale of Building II (Trader Joe's);
- Revise building design and orientation of Buildings VI and VII to allow conditions listed above to be accommodated;
- Exploit design differences for the buildings on the property;
- Further develop Building VII. Consider locating the yacht club there; and
- Return for final project review post-entitlement for final colors, materials, building design, landscaping, promenade/site amenities, signage and site illumination.

Ayes: 4 – Chair Phinney, Vice-chair Jubany, Mr. Pastucha and Mr. Wong

6. New Business

A. Parcel 50 – Drybar – Consideration of business identification signage and DCB Review related thereto – DCB #13-002-B

Mr. Lopez presented the project staff report.

Mr. Adams requested to change the aluminum plaque originally requested to an acrylic plaque due to concerns about the weather and the salt air.

Public Comment

None

Board Comment

Vice-chair Jubany asked to see the blade sign diagram.

On a motion of Vice-chair Jubany, seconded by Mr. Wong, this item was approved unanimously.

Ayes: 4 – Chair Phinney, Vice-chair Jubany, Mr. Pastucha and Mr. Wong

B. Parcel 56 – Next Wave Art Gallery – Consideration of business identification signage and DCB Review related thereto – DCB #13-005

Mr. Lopez presented the project staff report.

Public Comment

None

Board Comment

Mr. Pastucha commended the applicant on their signage.

Vice-chair Jubany asked if the blade sign was made of wood.

Ms. Peterson responded that the blade sign was actually made of metal.

On a motion of Mr. Pastucha, seconded by Vice-chair Jubany, this item was approved unanimously.

Ayes: 4 – Chair Phinney, Vice-chair Jubany, Mr. Pastucha and Mr. Wong

C. Marina del Rey Roadway Improvement Projects Update – Presentation by the Los Angeles County Department of Public Works (DPW)

Mr. Lopez introduced the project's representatives.

Ms. Barker, Mr. Shieh, and Ms. Bennett presented their report.

Chair Phinney asked about the size of the trees proposed along Admiralty Way.

Mr. Shieh replied that at the time of planting, the proposed trees would be a minimum of 24-inch box trees, which are 3' to 4' wide and between 8' to 10' tall.

Chair Phinney asked if the new color banding and concrete in the median, is setting up a new geometry relating to any particular thing.

Mr. Shieh responded that it is a new geometry just for interest.

Chair Phinney asked if there has been any coordination of the proposed plant palette with the color scheme of the existing identification signage.

Mr. Shieh replied that they have investigated the previously approved plant palettes for Marina del Rey and used some of those plants, along with some new plants, but have not coordinated with Beaches and Harbors (DBH) staff.

Chair Phinney suggested that DPW collaborate with DBH staff to ensure that the proposed plant palette colors coordinate with the existing mole road identification signage.

Mr. Jones stated that the department will work with DPW on the coordination.

Mr. Pastucha asked about the updating of the irrigation system and the maturity of the existing system.

Mr. Shieh replied that the irrigation system will be updated in all three of the major streets and that the existing system is not automated.

Mr. Pastucha pointed out that the new plant palette has more drought tolerant-plants and that the new irrigation system will be more efficient.

Public Comment

Lynn Schapiro spoke about the intersection at Via Marina and Admiralty Way, bike signs along Via Marina and pedestrian signs near the Marriott Hotel.

Jon Nahhas commented on ocean views in the Marina and DPW staff.

Ernest Cowell asked about the illumination of the roadways.

Marvin Saxy asked about curb cuts in the median.

Nancy Marino spoke about the removal of existing trees and street paving.

Board Comment

Chair Phinney asked about the widening of Admiralty Way, run-off and water percolation.

Ms. Barker stated that they are not widening the street but shifting the median island to utilize the shoulder space, for additional travel lanes. She addressed the water run-off/percolation by saying that DPW is installing bio-filtration devices in two locations (Parking lot 7, across from the Ritz Carlton and Parking lot 5 adjacent the library).

Chair Phinney asked for Mr. Pastucha's opinion on the use of Strawberry and New Zealand Christmas trees.

Mr. Pastucha asked DPW staff for the average height of the trees and the width of the median planting area.

Mr. Shieh responded that these trees can be maintained at 20' high by 16' wide and that the planting area in the median is less than 9' wide.

Mr. Pastucha stated that the planting areas limit the size of a tree and he's confident that these trees will work in the medians.

7. Staff Reports

All reports were received and filed.

Public Comment

None

Board Comment

None

8. Adjournment

Chair Phinney adjourned the meeting at 9:47 PM.

Respectfully Submitted,

Yeni S. Maddox
Secretary for the Design Control Board

HEARING EXAMINER HEARING

PROJECT NO. R2013-01647-(4))
ENVIRONMENTAL ASSESSMENT NO. 201300142)
APPLICANT: PACIFIC MARINA VENTURE, LLC)
LEASE PARCEL 44, MARINA DEL REY)
PLAYA DEL REY ZONED DISTRICT)

ORIGINAL

HEARING EXAMINER HEARING

Marina del Rey, California

Wednesday, March 4, 2015

Reported by:
Heidi Hummel-Grant
CSR No. 12556

1 HEARING EXAMINER HEARING

2
3
4 PROJECT NO. R2013-01647-(4))
5 ENVIRONMENTAL ASSESSMENT NO. 201300142)
6 APPLICANT: PACIFIC MARINA VENTURE, LLC))
7 LEASE PARCEL 44, MARINA DEL REY)
8 PLAYA DEL REY ZONED DISTRICT)
9
10

11 HEARING EXAMINER HEARING, taken at 13534
12 Bali Way, Marina Room, Marina del Rey, California,
13 beginning at 6:09 p.m. and ending at 6:59 p.m.,
14 on Wednesday, March 4, 2015, before
15 Heidi Hummel-Grant, Certified Shorthand Reporter
16 No. 12556.
17
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19
20
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24
25

1 APPEARANCES:

2 PAUL MCCARTHY, HEARING EXAMINER

3

COUNTY OF LOS ANGELES, DEPARTMENT OF REGIONAL PLANNING:

4 BY: ANITA D. GUTIERREZ, AICP

SAMUEL DEA

5 320 West Temple Street

Los Angeles, California 90012

6 213.974.4813

aqutierrez@planning.lacounty.gov

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1 Marina del Rey, California

2 Wednesday, March 4, 2015, 6:09 p.m. - 6:59 p.m.

3 ***

4
18:09 5 MR. MCCARTHY: Very well. Thank you for
6 coming tonight.

7 This is the Los Angeles County
8 Department of Regional Planning Hearing Examiner
9 Hearing regarding the Project Number R2013, dash,
18:09 10 014647. Testimony tonight is -- basically will be
11 on the environmental impact report, environmental
12 assessment that's been prepared for this project.
13 The applicant is Pacific Marina Venture, LLC. The
14 property is located at Lease Parcel 44 here in
18:09 15 Marina del Rey.

16 So in order to give -- we're going to
17 start with a couple of items here. We're going to
18 have a staff presentation and then a presentation
19 by the applicant.

18:10 20 Now, if you wish testify, you have to
21 fill out the card here. And you can go to one of
22 the staff members in the back and get it and fill
23 that out while we're giving the staff presentation
24 or the applicant is giving his presentation. So
18:10 25 far we have two people who've said they wanted to

18:10 1 testify. We will swear in the witnesses before we
2 begin testimony.

3 If you're even thinking of testifying,
4 you are on the fence, you don't know, when we ask
18:10 5 you -- people to stand and be sworn in, do so.
6 You don't have to testify. We'll let you go home
7 even if you don't.

8 So we'll begin with Anita Gutierrez, and
9 she'll give the staff report.

18:10 10 MS. GUTIERREZ: Thank you, Mr. Hearing
11 Examiner.

12 Anita Gutierrez, the Department of
13 Regional Planning.

14 The matter before you today is the
18:11 15 Parcel 44 project, located on Parcel 44 in
16 Marina del Rey. It is bounded by Admiralty Way,
17 Bali Way and Mindanao Way in a U-shaped parcel in
18 Basin G of the marina.

19 The required approvals for the project
18:11 20 are a coastal development permit to authorize the
21 demolition of the existing facilities on site as
22 well as to develop and construct the new proposed
23 structures and facilities proposed.

24 Parking permit is proposed to authorize
18:11 25 commercial tandem parking spaces as well as a

18:11 1 reduction in co-required parking for the project
2 and to allow valet service for commercial tandem
3 spaces.

4 A conditional use permit to ensure
18:11 5 consistency with the waterfront overlay "examines"
6 of the development as well as a variance to
7 authorize a reduction in the required side yard
8 for installation of the proposed open boat storage
9 racks on Bali Way.

18:12 10 Some of the major project components are
11 the construction of eight new buildings:

12 Building 1 is a boater restroom -- and
13 there are site plans in the back that show a
14 blowup of this site plan.

18:12 15 Building 2 would be a specialty
16 market -- currently proposed is Trader Joe's -- to
17 occupy that along Mindanao.

18 Building 3 is another boater restroom.

19 Building 4 would be one of the anchor
18:12 20 buildings considered with West Marine Commercial
21 Marine Offices and Boat Repair.

22 Buildings 5 and 6 would be both retail
23 and restaurants.

24 Building 7 would be boater restrooms.

18:12 25 And Building 8 along Bali would be yacht

18:12 1 club and a boat repair shop.

2 Other major project components would be
3 open-air boat storage or stacking system along
4 Bali Way, which would accommodate up to 44 boats
18:13 5 stacked four boats high. Additionally, spaces for
6 13 mast-up small sailboat storage spaces and
7 development of a waterfront pedestrian promenade
8 along the bulkhead, which includes the realignment
9 of the Marvin Braud Bike Path adjacent to the
18:13 10 waterfront and adjacent to Admiralty Way.

11 The picture of the site plan as
12 proposed -- again, there is a larger version of
13 the site plan in the back of the room if anyone is
14 interested in taking a closer look -- here are
18:13 15 some renderings of the proposed project. These
16 are the boater restrooms. The proposed West --
17 Trader Joe's building or specialty grocery store.
18 And then a rendering of the promenade, slash, bike
19 path with the waterfront to the left of the
18:13 20 picture and the development to the right.

21 Some proposed elevations, approximately
22 the building would be maximum of 45 feet high.
23 Some west elevations and east elevation of the
24 proposed West Marine buildings.

18:14 25 Some of the main issues addressed in the

18:14 1 draft environmental impact report, which is out
2 for public comment, the esthetic, air quality,
3 biological resources, geology and soil, greenhouse
4 gases, hydrology and water quality, noise and
18:14 5 vibration, traffic and access, police protection
6 and fire protection, waste water, water and solid
7 waste. Of these issues, traffic remains the only
8 issue that would remain significant and
9 unavoidable, even with mitigation. That would be
18:14 10 for project-specific as well as cumulative impact.
11 All other issues would be reduced to a level of
12 significance with mitigation.

13 The next step for this public project is
14 the DEIR is currently open for public comment.
18:15 15 The public comment period ends March 31st, end of
16 this month. You can submit those comments by
17 email or in writing to me, the Department of
18 Regional Planning, or also submit them here today
19 at the Hearing Examiner. After we receive the
18:15 20 public comments and the draft EIR public comment
21 period has closed, we will draft responses to
22 those comments that we will receive and prepare
23 the final EIR along with the mitigation monitoring
24 and reporting program. After that is complete, we
18:15 25 will set a Regional Planning Commission Hearing

18:15 1 date and -- for the RPC to consider both the
2 environmental documents as well as the project
3 entitlement previously described. Two weeks
4 before the public hearing would be release of the
18:15 5 staff report and/or draft conditions and findings
6 of the Planning Commission.

7 And that concludes my report.

8 AUDIENCE MEMBER: Mr. McCarthy --

9 MR. MCCARTHY: Very well. Thank you.

18:16 10 Hold on.

11 And we're going to now have a
12 representative from the applicant come forth with
13 a presentation.

14 Please identify yourself for the record
18:16 15 and spell your name phonetically.

16 MR. CLARK: Sure.

17 (A discussion is held off the record.)

18 MR. CLARK: My name's Aaron Clark. I work
19 for the lessee, Pacific Ocean Management --

18:17 20 MR. MCCARTHY: And you want to spell your
21 last name phonetically for the court reporter?

22 MR. CLARK: C-L-A-R-K.

23 -- with the firm of Armbruster,
24 Goldsmith & Delvac. Beside me is Jack Hollander,
18:17 25 who is the architect.

18:17 1 And so we'd like to walk you through a
2 little more. I mean, Anita already did a really
3 good job of it, but I think my -- my point here is
4 that this project has been built around visitor
18:17 5 service and boating use. A key part -- I'm not
6 sure that Anita touched on it, but there's -- she
7 did touch on the West Marine building, which is a
8 key visitor serving marine commercial use. We
9 have other visitor serving uses: Restaurants, the
18:17 10 Trader Joe's.

11 We have replaced the yacht club facility
12 for the Corinthian Yacht Club, which is the oldest
13 yacht club in the marina. We're offering them a
14 new facility in the project. We'll also have a
18:18 15 community room in the West Marine. So up on
16 the -- I'll let Jack -- the second floor will have
17 a community room for boater instruction or just
18 general community needs. There is a dearth of
19 places for the community to come and gather for
18:18 20 any type of meetings, we've heard, where you don't
21 have to rent out a big space like this, that's
22 very expensive.

23 Furthermore, there's going to be that
24 realignment of the bike path, which is actually
18:18 25 very significant, because now it meanders through

18:18 1 the parking lot, as you all know, and now it's
2 going -- in the new program -- the site plan's not
3 up -- it's effectively -- yeah, point out where it
4 is -- it will go straight across the frontage of
18:19 5 the --

6 MR. HOLLANDER: It goes (indicating) --

7 MR. CLARK: Yeah, it's going to fix a major
8 problem for cyclists, which is they have to
9 meander through a parking lot to get along their
18:19 10 way.

11 Other benefits, you know, there are view
12 quarter issues, people that say there's impacts to
13 the views. This project -- above and beyond what
14 the local Coastal Program requires provides --
18:19 15 view quarters for the buildings are provided.

16 Traffic's an issue. I'm not going to
17 argue around that issue. Obviously you're
18 impacted by traffic. This project will pay about
19 1.34 -- excuse me, \$2.34 million in traffic
18:19 20 improvement fees which will be used to enhance
21 traffic movement in the marina. I'm sure others
22 will have questions about that or the validity of
23 that. That's going to be paid to the Department
24 of Public Works, who would then implement those.

18:20 25 Jack, would you like to add more?

18:20 1 MR. HOLLANDER: Yeah.

2 MR. MCCARTHY: And spell your name for the
3 record, sir.

4 MR. HOLLANDER: Jack Hollander, J-A-C-K,
18:20 5 H-O-L-L-A-N-D-E-R.

6 MR. MCCARTHY: Thank you.

7 MR. HOLLANDER: Let me just say a few
8 comments.

9 Before the meeting started, some of the
18:20 10 people brought up some questions. One of them was
11 view corridors. We have two and a half times the
12 view corridor required. Not only that, in the
13 design -- in the design process we created
14 amphitheater seating in two major locations. I
18:20 15 don't know if -- can we get the plan?

16 MS. SANTRY: Show them this one (indicating).

17 MR. HOLLANDER: This area here --

18 MR. MCCARTHY: Speak into the mic, sir.

19 MR. HOLLANDER: I can't point and speak at
18:20 20 the same time.

21 AUDIENCE MEMBER: Do we have a better map?
22 That's very, very difficult to see it.

23 MR. HOLLANDER: I have a plan over there.

24 MS. SANTRY: In this area --

18:21 25 MR. MCCARTHY: Ma'am, you cannot testify

18:21 1 until you're introduced.

2 MR. HOLLANDER: Okay.

3 There are some seating here. It's like
4 an amphitheater; it goes down to the basin
18:21 5 where -- in this area you have the bike path. The
6 bike path -- that's much better -- the bike path
7 as Aaron stated meanders through the buildings,
8 through the area where they fix boats and then
9 comes back over there. Now it's going to be a
18:21 10 straight shot all the way from one street to
11 another. And the bike path is very wide; it's --
12 the lanes are five feet each plus one foot on
13 either side and so forth.

14 As far as -- shall we discuss esthetics
18:21 15 here?

16 MR. CLARK: Not yet.

17 I think the other point is that, you
18 know, there's some boater serving uses here, which
19 are the maintenance for Seamark. There's going to
18:22 20 be a new boater serving -- effectively a
21 dry-stack -- open dry-stack storage here. And a
22 boat repair shop here. The yacht club's going to
23 go here. You're going to have new loading for
24 "Sabitts" and other small boats here. You're
18:22 25 going to have a new launch ramp here. Effectively

18:22 1 that's a separate permit. So it's not under
2 consideration with the land side; it will be
3 coordinated with the land side development. But,
4 you know, there's what we wanted to call a
18:22 5 boater's paradise -- some people may laugh about
6 that, but I think it's actually a really good
7 boater serving use. You have West Marine; you
8 have visitor serving use on -- at Trader Joe's;
9 you have new yacht club and boater repair
18:22 10 facilities; a restaurant here; public gathering
11 spaces here; more restaurant here; direct
12 connections from the water to the facilities.

13 And so with that -- I mean, again, it
14 would be about traffic tonight, I'm sure. Again,
18:23 15 there is going to be unavoidable traffic impacts
16 that we can't mitigate, we have to override,
17 that's expressed in the EIR. Again, there's a
18 \$2.4 million fee we're paying.

19 Beyond that, I think we'll rest with
18:23 20 that.

21 So if there are other questions, we
22 can --

23 MR. MCCARTHY: Very well.

24 MR. CLARK: -- answer them.

18:23 25 MR. MCCARTHY: We had a question from the

18:23 1 audience a moment ago.

2 Please stand and give us your name.

3 MR. HYMAN: My name is Steve Hyman,

4 H-Y-M-A-N.

18:23 5 I have just two questions.

6 MR. MCCARTHY: If you want to testify --

7 MR. HYMAN: No, I have two questions. That's
8 all.

9 MR. MCCARTHY: Very well.

18:23 10 MR. HYMAN: One question was --

11 MR. MCCARTHY: Then you're going to have to
12 come up and use the mic.

13 MR. HYMAN: My voice is pretty loud, but if
14 you want, I'll use the mic.

18:23 15 MR. CLARK: If you could, that would be
16 helpful, because we have to respond to all your
17 questions.

18 MR. HYMAN: My question was actually for the
19 staff but --

18:24 20 MR. MCCARTHY: Talk into the mic. Thank you.

21 MR. HYMAN: One question is: Are the plan
22 uses -- for example, Trader Joe's, if this is
23 approved, is that a guaranteed use, or could
24 Trader Joe's -- could some other use be made of
18:24 25 that building that is currently designated

18:24 1 Trader Joe's? That was one question.

2 And the other question is: From the --
3 from the point that -- assuming the project is
4 approved, from the point that construction or
18:24 5 demolition starts, for what period of time will
6 the bike path be out of service until the new one
7 is constructed?

8 MR. MCCARTHY: Okay. Thank you. Take you
9 seat. He'll -- I'm going to give both staff and
18:24 10 the applicant an opportunity.

11 Who wants to answer first?

12 MS. GUTIERREZ: Regarding the plan uses, the
13 project would be entitled with a specialty grocery
14 store. So it is -- theoretically another
18:25 15 specialty grocery store could come in if it wasn't
16 Trader Joe's.

17 And for duration of construction time
18 for the bike path, I'll let the applicant respond.

19 MR. HOLLANDER: As far as Trader Joe's is
18:25 20 concerned --

21 MR. MCCARTHY: Sir, you want to identify
22 yourself again on the record?

23 MR. HOLLANDER: Jack Hollander.

24 As far as Trader Joe's is concerned,
18:25 25 right now we are doing drawings for the interior

18:25 1 of Trader Joe's. So you can be assured it's going
2 to be a Trader Joe's. The drawings already show
3 the layout inside.

4 The other question was regarding the
18:25 5 bike path. We are trying to find a way to get the
6 bike path -- even under construction -- so it's
7 still safe and it can continue in operation so you
8 don't stop the bike path while you're doing
9 construction.

18:26 10 MR. HYMAN: Thank you.

11 MR. MCCARTHY: Very well.

12 Now we're going to go to the testimony.
13 And those persons who want to testify will stand
14 and be sworn.

18:26 15 And please raise your right hand --

16 AUDIENCE MEMBER: Can we still turn in --

17 MR. MCCARTHY: Mr. Pomerantz -- yeah, turn
18 them in -- Mr. Holder, whoever else is going to
19 testify, please stand and raise your right hand.

18:26 20 Do you and each of you swear or affirm
21 under penalty of perjury that the testimony you
22 may give in this matter now pending before the
23 Hearing Examiner shall be the truth, the whole
24 truth and nothing but the truth, so help you?

18:26 25 AUDIENCE MEMBERS: (Indicating.)

18:26 1 MR. MCCARTHY: Please be seated.
2 And we'll have Mr. Pomerantz come
3 forward first.
4 MR. POMERANTZ: Do I need a microphone?
18:26 5 MR. MCCARTHY: You have to sit here.
6 MR. POMERANTZ: I have to sit here?
7 MR. MCCARTHY: Yes.
8 MR. POMERANTZ: Sit here?
9 MR. MCCARTHY: Give him the seat, if he wants
18:26 10 to.
11 MR. POMERANTZ: I just wanted to say that
12 it -- my two concerns are: Number 1, that the --
13 Admiralty Way maintains it's special look where
14 it's not like Ventura Boulevard in the Valley or
18:27 15 Hawthorne Boulevard, which are nice, but they're
16 not special like Admiralty Way is. The reason
17 it's special is because you can see the masts of
18 the boats and, you know, the water, and it's by
19 the marina and has a special look. And I hope
18:27 20 that's not compromised by this. That's one thing.
21 Number 2, I'm concerned about the
22 traffic. It's terrible right now. When you come
23 down Admiralty Way and make a left turn onto
24 Mindanao, it can be not very good. It -- and I
18:27 25 hope this doesn't make this worse. That's all.

18:28 1 MR. MCCARTHY: Thank you.

2 THE REPORTER: I'm sorry, can I get a
3 spelling for Mr. Pomerantz?

4 MR. MCCARTHY: Spell your last name.

18:28 5 MR. POMERANTZ: My last name is P as in Paul,
6 O-M-E-R-A-N-T-Z.

7 THE REPORTER: Thank you.

8 MR. MCCARTHY: And actually where
9 Mr. Pomerantz was sitting is a good place for the
18:28 10 speakers to sit if you're going to testify because
11 you're facing the court reporter. And that makes
12 it a little bit easier for her to take down your
13 testimony.

14 Remember, that's why we're so fussy
18:28 15 about spelling your name and stop talking until
16 you identify yourself. Because if you're trying
17 to read a transcript, you have to know who it is
18 that's speaking when you're reading that
19 transcript. And obviously you cannot hear the
18:28 20 voice so it has to be there in the written record.

21 And next we have Mr. Hollander? Or
22 Jack Hollander?

23 MR. HOLLANDER: I spoke before.

24 MR. MCCARTHY: Oh, I'm sorry. You're with
18:28 25 the applicant. Very well.

18:29 1 Then we have John Nahhas.

2 Please come forward and have a seat
3 where the previous speaker was.

4 MR. NAHHAS: I prefer to stand if it's all
18:29 5 the same.

6 MR. MCCARTHY: Then stand over there and face
7 the court reporter if you will.

8 MR. NAHHAS: Do we still have the microphone?

9 MS. GUTIERREZ: It's right there.

18:29 10 MR. NAHHAS: The hand mic.

11 MS. GUTIERREZ: (Indicating.)

12 MR. NAHHAS: My name is John Nahhas. Last
13 name is N as in Neil, A-H-H-A-S, S as in Sam.

14 I have considerable questions about this
18:29 15 project. First I have SEQA questions. The fact
16 that we are standing -- we do not have video
17 present so I've taken pictures -- we're standing
18 in a 25-by-25-foot room; we have probably ten
19 people here and there's about 30 to 40 chairs --
18:29 20 it's a very, very small room -- and this is a
21 very, very large project in Marina del Rey. This
22 will be the entrance to our public lands in
23 Marina del Rey. And so we feel that the -- the
24 noticing requirement is not on the Department of
18:30 25 Beaches and Harbors website, and they are managing

18:30 1 the marina, and so we, again, have strong
2 reservations that SEQA is being overridden here,
3 that this project is being hidden from the general
4 public, and this is going to create, undoubtedly,
18:30 5 huge ramifications as far as access to public
6 land. So we're challenging SEQA right from the
7 getgo.

8 First -- and then secondly, Pier 44 is
9 the entrance to Marina del Rey as outlined in our
18:30 10 visioning process. It has a particular
11 importance, because when you come off the
12 90 Freeway, it's the only way the residents and
13 people can access these public lands. And there
14 are some very particular problems here because of
18:30 15 Mindanao and the way it situates itself with
16 Lincoln Boulevard. So we're very concerned that
17 even though they're paying \$2.4 million in
18 mitigation fees, there will not be anything that
19 the developer nor the County can do in order to
18:31 20 mitigate the tremendous amount of impacts that
21 will occur here. And so it will create a hardship
22 to access public lands; it will create a loss of
23 quality of life for many of the residents that
24 live here, live nearby here, and, of course,
18:31 25 boaters do not have access to their boating

18:31 1 equipment. So the whole euphemism that this is
2 going to be a boater haven is actually a farce.
3 This will actually create many more problems for
4 us to access our boats.

18:31 5 Thirdly, a box store on the water is
6 against the Coastal Act, Section 30210,
7 Section 30211, 30212. And so we're asking in this
8 hearing at what parts of California have we ever
9 allowed box stores to occur on the water? Because
18:31 10 it doesn't happen. And we asked the California
11 Coastal Commission; they can't cite any reference.
12 So we feel that this, again, has SEQA problems,
13 and it has Coastal Act problems, in that
14 regardless of what you're calling this,

18:32 15 Trader Joe's or a specialty store, there's going
16 to be a lot of boxes coming in here. It does not
17 have necessarily to do with public access so we
18 have a problem with this specialty store and also
19 the West Marine. Trader Joe's at this location
18:32 20 would, of course, create hardships, traffic at the
21 entrance of the marina. Trader Joe's is a very,
22 very popular store. We already have traffic
23 problems as they are in the marina. Putting it on
24 Mindanao kitty-corner from Ralphs is absolutely
18:32 25 irresponsible. A Trader Joe's on Mole Road would

18:32 1 also create hardships for accessing the park. We
2 have a public park at the end of Mindanao called
3 Burton Chace. And so because Trader Joe's is so
4 popular, that's going to create hardships for
18:32 5 people trying to access a public park. Again, a
6 violation of what we believe SEQA and the Coastal
7 Act.

8 Walling off of coastal resources.
9 Meaning that as you look at all of these things
18:33 10 when you come in the marina, you do you not see
11 water any longer; you see buildings. So when
12 people are coming to the public lands for
13 recreational purposes on the water, they see
14 walls. They do not want to -- they don't know
18:33 15 water's there; they don't see recreational
16 opportunities; they see buildings. And so when we
17 saw walling off recreational resources, we
18 believe, again, that's a violation of the Coastal
19 Act.

18:33 20 And then experts agree over and over
21 again that Marina del Rey has serious traffic
22 problems. We even have the Citizen Oversight
23 Commission, one of them -- several of them, the
24 Small Craft Harbor Commission and the Design
18:33 25 Control Board, which have said that traffic

18:33 1 mitigation is no longer an option here, that we
2 need to start doing something about the traffic.
3 So we know that even though Mr. Clark is saying
4 that the developer's going to pay \$2.4 million in
18:34 5 fees, it won't make a difference. It will -- you
6 can't build any more extra turn lanes; you can't
7 do anything other than blowing the whole thing up
8 and starting over. And, of course, that can't
9 happen. So the \$2.4 million that DPW is going to
18:34 10 be pocketing for whatever, there's not going to be
11 anything -- there's nothing you can do in
12 mitigation anymore. So we really need more
13 authentic traffic studies.

14 Again, both boards have said that the
18:34 15 traffic studies here have been botched, the
16 County's spent long litigation process against the
17 City of Los Angeles with the Venice Dual Force
18 Main project stating that the City of Los Angeles
19 violates the Vehicle Code because it has poor
18:34 20 traffic impacts in its EIR. And we're asserting
21 the same thing reflectively on the County. The
22 County has not taken into consideration a valid
23 authentic traffic study looking at Marina del Rey
24 and all the surrounding development in
18:35 25 Marina del Rey, including Playa Vista, Del Rey,

18:35 1 and up into Venice. And so we're asserting that
2 this draft EIR has not taken into consider all the
3 valid traffic impacts and all the other
4 significant impacts with regards to projects in
18:35 5 and around what we now know as Silicon Beach. It
6 has now become a huge overdeveloped project
7 extending from Marina del Rey all the way up into
8 Santa Monica. And the sprawl is just going on and
9 on. And all of this has to be significantly -- it
18:35 10 has to be looked at and the significant impacts
11 taken into consideration. We believe that there
12 just isn't enough of those impacts looked at in
13 this draft EIR.

14 I think that's it. Thank you.

18:35 15 MR. MCCARTHY: Thank you.

16 And our next speaker will be
17 James Moore.

18 MR. MOORE: My name IS James Moore. I am on
19 the board of the Villa Marina council.

18:36 20 Actually, I have a question rather than
21 a pitch here -- and I didn't have a chance to ask
22 it. This two-point, whatever, million dollars
23 that the developer has to pay for traffic issues,
24 it sounds to me like because there's nothing we
18:36 25 can do, none of it will be spent on this; it will

18:36 1 go somewhere else. I'm just wondering where it's
2 going to go.

3 I have people here that presumably have
4 some idea about that. Would you care to address
18:36 5 my question, sir?

6 MR. MCCARTHY: The purpose of the meeting is
7 to take down the testimony and the concerns of the
8 public. And each question will be answered in the
9 final EIR, there will be a formal written response
18:36 10 to each of the questions. In a situation like
11 this where we don't have too many folks, we don't
12 have a large audience -- we had one hearing at
13 Universal Studios, we had 600 people and over a
14 hundred wanted to testify, we have to be pretty
18:37 15 strict, we limit you to three minutes and we don't
16 respond. So at the tail end when we've kind of
17 wrapped up the formal presentation, we'll try to
18 handle some of these questions kind of informally.
19 But there will be a formal response to your
18:37 20 question in the final EIR.

21 MR. MOORE: One of the things, then,
22 concerned -- that I think many people here are --
23 we've seen a process like this go many times
24 through the marina. There is a period of time
18:37 25 when meetings like this are held where we're

18:37 1 gathering information, you know, and then the next
2 thing we hear is: Decisions have been made;
3 here's the final EIR; everything's cast in
4 concrete; we're only here to tell you what's going
18:37 5 to happen. And it doesn't seem like there's a
6 process in the middle of this where there's a give
7 and take. And I was hoping to start that process.

8 MR. MCCARTHY: Well, that's something we did
9 mention in the staff introduction report, and I'll
18:38 10 respond to that now.

11 We, again, will be preparing a written
12 response to each and every comment made here at
13 the meeting tonight. And that written response
14 will to be included in the final environmental
18:38 15 impact report. The hearing date before the
16 Planning Commission has not been set because we
17 don't know how long it would take to complete all
18 those responses. So when those responses are
19 completed and there's an available date on the
18:38 20 Planning Commission's agenda, we will set a
21 hearing and it will be readvertised. So there
22 will be an advertising conducted in terms of
23 the -- throughout the marina and signs posted
24 giving you that date. It will also be on the
18:38 25 Department of Regional Planning website, all of

18:38 1 the information pertaining to the date and the
2 location of the hearing.

3 The Planning Commission, of course,
4 meets in Downtown Los Angeles on Wednesday
18:38 5 mornings at 9:00 a.m. The proceeding and the --
6 before the Planning Commission does not prohibit
7 you from speaking if you spoke here. So if you
8 spoke here and you decide you have more to say,
9 you're more than welcome to appear before the

18:39 10 Planning Commission. So don't feel you're
11 prohibited from coming downtown when have that
12 public hearing; that's not true at all. Some
13 people believe that, but it's not true, you're
14 more than welcome to appear. You're more than
18:39 15 welcome to write additional -- send in additional
16 written testimony to Anita, and she will forward
17 it to the parties that are going to prepare the
18 written response and the final EIR.

19 Again, the deadline, as Anita stated at
18:39 20 the outset, is March 31st of 2015. And you
21 will -- that will be the deadline for submitting
22 written comments that will be formally responded
23 to in the final environmental impact report. So
24 you're welcome to comment tonight; you're welcome
18:39 25 to submit written comments; you're welcome to then

18:40 1 show up at that Planning Commission hearing when
2 the day is set.

3 And we have Jeanette Vosburg as the next
4 speaker.

18:40 5 Again, you want to spell your name for
6 the court reporter?

7 MS. VOSBURG: Jeanette J-E --

8 MR. MCCARTHY: Please take the mic.

9 MS. GUTIERREZ: Sit down --

18:40 10 MS. VOSBURG: Hi, I'm Jeanette Vosburg --

11 MS. GUTIERREZ: Is it on?

12 (A discussion is held off the record.)

13 MS. VOSBURG: My name is Jeanette Vosburg,
14 J-E-A-N-E-T-T-E, Vosburg, V as in Victor,
18:40 15 O-S-B-U-R-G.

16 And I never take this sort of thing very
17 lightly once I get involved. And I began to look
18 around and take some pictures and was particularly
19 frustrated with what the County did to the Oxford
18:41 20 Lagoon. That really got my attention. So today I
21 went out and I -- this is it not the first time --
22 but I've cruised the area to see just what's out
23 there. And I'm a pretty healthy walker so I
24 walked a lot of it. So I went over to Pier 44 and
18:41 25 just inquired about the boats and how that was

18:41 1 going to work when the lot was torn down. And I
2 got some feedback on that.

3 I went over to the library, because a
4 lot people were waiting there to get in, and I
18:41 5 talked to some of those. And I think that the
6 average person -- and I also talked on Sunday with
7 a fellow that does guard service for the County.
8 And what he had said is -- I asked him if he knew
9 anything about Pier 44, and he said, well, they're
18:42 10 the last to know. They know when it happens. And
11 I think that the County is so accustomed to having
12 people not understand what's going on until the
13 big dog bites them that they are left to their own
14 devices to figure this out and later to deal with
18:42 15 it. I've talked to two different people that had
16 to get out of boating completely because all of a
17 sudden, without notice, the rent went way up on
18 their slips.

19 So from my perspective, the public --
18:42 20 originally there were two documents that caused
21 the marina to happen: Document 389 and
22 Document 780, and they were done in 1954. And the
23 money that was to go into the marina, and did,
24 came partially from the federal government, and
18:43 25 this was a federal project.

18:43 1 The second thing that happened is that
2 the City of Los Angeles pretty much matched the
3 money that was given by the County. And if I
4 recall, it was under \$2 million from the federal
18:43 5 government and somewhere around 6 million apiece
6 for the state -- for the County and for the City.
7 I don't know how the City let loose of the
8 control, but they don't seem to have anything to
9 say at this point. I don't know whether they've
18:43 10 been bought off or what.

11 With the County, it's clear that the
12 people are not ruling. This marina was set up for
13 common, ordinary working class people. And
14 suddenly we have moved away from common working
18:43 15 class people. When I asked the boaters, people
16 that lease the boat slips, what I found out is
17 that they understand that the little boaters are
18 going to go away and the bigger boaters with big
19 bucks are going to come in.

18:44 20 And I went all around the marina looking
21 and taking pictures at the small boat slips and
22 then looking at the uncomfortable position of the
23 really big boats. Because obviously they don't
24 have a place. And what is going to happen here,
18:44 25 it seems to me, is that the County, in their

18:44 1 wisdom and their desire to get money -- as
2 Burton Chace said originally: This would be, in
3 so many words, a cash cow for the County. What
4 they have done is slipped these things by. I went
18:44 5 over to the shores and looked at the size of that,
6 and then I looked across the street at what's
7 happening, what's being dug up and flattened and
8 all that. And I looked at it and I went, "Oh, my
9 God. The shore looks like a peanut in comparison
18:45 10 with what -- with what is happening behind the
11 gates."

12 Now, I'm pretty aggressive so I got out
13 there and before they realized what had happened,
14 I took pictures inside, because I want to see
18:45 15 what's going on. And I'm in real estate; we have
16 commercial properties. So I get it when I look at
17 something like that. I know what's going on.

18 And the public is really getting taken
19 for a ride here. And that really concludes my
18:45 20 remarks.

21 And I don't intend to forget you guys.
22 Thank you. And I was at the Planning meeting
23 downtown last Wednesday, and I'll to be there
24 every Wednesday. Thank you.

18:45 25 MR. MCCARTHY: Thank you.

18:45 1 And the next speaker is Ernest Cowell.

2 MR. COWELL: Good evening.

3 My name is Ernest Cowell, C as Charlie,
4 O-W-E-L-L. And I'm a residence of Marina del Rey,
18:46 5 at least for a while, until the County keeps
6 raising the rent, and then we go away, because
7 senior citizens are either on pensions, retirement
8 or a fixed income of some type.

9 So my question is: The same owner has
18:46 10 Fisherman's Village. And what's happened there?
11 Nothing. So why should anything happen here? All
12 this does is develop more traffic.

13 And if the County were to -- County
14 Planning Board or the Commissioners lived in the
18:46 15 marina they would be aware of what's happening,
16 but they aren't. All they see is another place to
17 get more money, more money, more money -- this is
18 the biggest cash cow that the County has -- and
19 there is no reason for this development to go on
18:47 20 when the gentleman who owns it hasn't done what he
21 should do with the other development he owns. And
22 I want to know why the County is pursuing this
23 when that hasn't been done. Why not have the
24 individual finish what he has to finish before
18:47 25 he's allowed to start something else? This is

18:47 1 just something to develop traffic, traffic,
2 traffic. Try coming in here on the weekends or
3 going to work. More and more time is spent
4 getting through Admiralty Way or Mindanao to get
18:47 5 on the freeway. And if you watch it monthly, you
6 can see the progression of the traffic increase.
7 So my question is: Why is this project?

8 Thank you.

9 MR. MCCARTHY: Thank you.

18:48 10 And the next speaker -- and I believe
11 the last -- is Patricia -- again, you want to
12 spell your last name for us? I'm not sure if it's
13 Younis or --

14 MS. YOUNIS: Oh, which --

18:48 15 MS. COWELL: I'm Patricia.

16 MR. MCCARTHY: Oh, we have two Patricias.
17 Patricia Younis?

18 MS. COWELL: I'm Patricia Cowell.

19 MR. MCCARTHY: Well, no, we have -- I don't
18:48 20 have a card from you.

21 MS. COWELL: Well, now you have.

22 MR. MCCARTHY: All right.

23 Let the other Patricia Younis come
24 first.

18:48 25 (A discussion is held off the record.)

18:48 1 MS. COWELL: I've known the other Patricia --

2 THE REPORTER: I'm sorry?

3 MS. COWELL: I have known the other Patricia
4 for some time. She was queen of the boat parade
18:48 5 and did a lot for Marina del Rey. She was -- I
6 used to always think of her as the Marina del Rey
7 girl, but now she's owned by these property
8 people.

9 When are the answers due? I'd like to
18:49 10 comment, Mr. McCarthy. The final report sounds
11 like when it's all over and the decision are made,
12 so what's the point? I would love to answer any
13 direct questions with, "I'll let you know. You
14 know, hold your breath, please. I'll let you
18:49 15 know." The same owner of this site, as my husband
16 said, Site 44 here -- I live and work in the
17 marina, my office is over the bank -- some -- the
18 same owner of Site 44, the Fisherman's Village, is
19 sitting there how many years that they have a
18:49 20 lease on that, 16 or 17 years?

21 Can you tell me Mr. McCarthy.

22 MR. MCCARTHY: Ma'am, I'm not going to
23 respond to the --

24 MS. COWELL: Oh, yes, of course, I forget.
18:49 25 You've got this divine protection. It's like --

18:49 1 it's like -- what is it? Under the Fifth I
2 wouldn't be telling you anything tonight.

3 Well, anyway, he's sat on that too long
4 had done nothing. This is on the Main Street.
18:49 5 It's going to kill us with traffic. The traffic
6 is appalling right now. And I'd like to know
7 which charity is getting the 2.4 million that's
8 going in to change our traffic problems in the
9 marina. I'm sure it'll go to charity. Although,
18:50 10 why should I be sure of that? I'd like to know
11 who's pocketing it. Maybe they'll give us a
12 party.

13 Thank you, sir.

14 I would love some answers eventually,
18:50 15 and I --

16 MR. MCCARTHY: Your last name? Can you spell
17 you last name?

18 MS. COWELL: It's Cowell -- it's exactly like
19 my husband's -- C-O-W.

18:50 20 I just have to ask you one more thing,
21 sir: When and if you ever get around to answering
22 these questions, I do intend giving you some
23 publicity for them. So please make sure I get a
24 copy. I'm Irish and I tend to be kind of dogged,
18:50 25 sir. I will come back to you with a question. It

18:50 1 won't settle when I sit down.

2 Thank you, sir.

3 MR. MCCARTHY: So now we have
4 Patricia Younis.

18:50 5 And that's Y-U-O-N-I-S?

6 MS. YOUNIS: Y-O-U-N-I-S.

7 Good evening. My name is Patricia,
8 P-A-T-R-I-C-A, Y-U-O-N-I-S.

9 And I'm here to -- I wanted to comment,
18:51 10 one comment, about the -- I'm not sure what -- I
11 think you -- one of the speakers addressed the
12 issue of small boaters. This project has gone out
13 of its way -- amazingly out of its way -- to
14 accommodate the South Coast Corinthian Yacht Club.
18:51 15 It is building it a complete new facility in
16 exactly the location it wants, two-stories,
17 extra -- the marina is not a part of this hearing
18 so we're not supposed talk about that. Is that
19 correct?

18:51 20 MR. MCCARTHY: You can address whatever you
21 wish to that relates to the matter.

22 MS. YOUNIS: Okay.

23 MR. MCCARTHY: Apparently if the property is
24 located in the marina, you may.

18:51 25 MS. YOUNIS: Okay.

18:51 1 The -- the water side of this project
2 goes on a separate -- a separate path so they're
3 certainly tied together, just a different
4 entitlement.

18:52 5 The accommodation for the small -- or
6 the South Coast Corinthian Yacht Club is
7 spectacular -- that's all I can say -- elevators,
8 everything, kitchens, all sorts of stuff, things
9 they do not have now. And that is in respect for
18:52 10 them. They are a small boaters' yacht club, very
11 inexpensive to join, to be a part of, and they are
12 extremely happy with what's going on.

13 Also, the other thing I would like to
14 make a point of telling people is that this
18:52 15 marina -- the marina side of this project -- is
16 keeping more small boat slips than any other
17 marina. So I think that before we comment that
18 the small boater's being eliminated from this
19 project, I think we should all learn the facts
18:53 20 first.

21 Thank you.

22 MR. MCCARTHY: Thank you.

23 MR. NAHHAS: Mr. McCarthy, can we qualify
24 her?

18:53 25 THE REPORTER: I'm sorry?

18:53 1 MR. MCCARTHY: Sir, she has the right to say
2 whatever she wants and enter it in the record.
3 And there'll be an appropriate response in the
4 final environmental --

18:53 5 MR. NAHHAS: Is she speaking on behalf of the
6 developer, Mr. McCarthy?

7 MR. MCCARTHY: She has introduced herself as
8 Patricia Younis, self. And that's more than
9 adequate.

18:53 10 MR. NAHHAS: So we can't know what -- if
11 she's an agent of the --

12 MR. MCCARTHY: She's not going to be subject
13 by the audience to cross-examination.

14 MR. NAHHAS: No, we need to know if she's an
18:53 15 agent of the developer.

16 MR. MCCARTHY: She's identified as speaking
17 on her -- for herself, on her own.

18 MR. NAHHAS: Mr. McCarthy, we have rights
19 here.

18:53 20 We need to know if she's --

21 MR. MCCARTHY: You may say that you --

22 MR. NAHHAS: -- an agent here on behalf of
23 the developer --

24 MR. MCCARTHY: You can submit additional
18:53 25 written comments if you have something you want

18:53 1 the decision makers to consider. But she's
2 identified herself as speaking on behalf of
3 herself and not on behalf of --

4 MR. NAHHAS: Will you please address that in
18:53 5 the draft EIR, then, that we have people --

6 MR. MCCARTHY: Sir, you're --

7 MR. NAHHAS: -- on behalf of the developer --

8 MR. MCCARTHY: You have to write a request in
9 on that one.

18:54 10 MR. NAHHAS: Okay.

11 THE REPORTER: I'm sorry. I don't know who
12 was speaking.

13 MR. MCCARTHY: Again, your name, sir, was
14 Nahhas?

18:54 15 MR. NAHHAS: John Nahhas.

16 THE REPORTER: Thank you.

17 MR. NAHHAS: Thank you.

18 MR. MCCARTHY: Very well.

19 Can the agent of the applicant respond
18:54 20 just to try to quell some of the questions?

21 MR. CLARK: Yeah, I am an agent.

22 AUDIENCE MEMBER: You're an agent. She's --

23 MR. MCCARTHY: Mr. Aaron Clark --

24 THE REPORTER: I'm sorry?

18:54 25 MR. MCCARTHY: Mr. Aaron Clark is

18:54 1 representing the applicant, one of two
2 representatives we have here tonight.
3 Mr. Hollander was the other.

4 If you want to listen to his response --
18:54 5 would you like to listen to his response?

6 MR. NAHHAS: Again, I want you to identify
7 who the agents are here. And I think --

8 MR. MCCARTHY: I don't think he's -- he is
9 the agent that has identified himself as being an
18:54 10 agent.

11 MR. NAHHAS: But anyone can speak -- all
12 right.

13 Aaron, you can respond. No problem.

14 MR. CLARK: You know, I just want to --

18:54 15 MR. NAHHAS: I think it's just a little --
16 it's unruly here when you have someone that comes
17 up and is supposedly an agent --

18 MR. MCCARTHY: Sir --

19 MR. NAHHAS: -- not identified --

18:54 20 MR. MCCARTHY: -- anyone is allowed to come
21 up. Anyone can come -- someone can walk in from
22 San Francisco, they can walk in from New York,
23 wherever, and speak. There's no limitation on
24 that --

18:55 25 MR. NAHHAS: Right.

18:55 1 MR. MCCARTHY: -- they are not subject -- you
2 have no authority to conduct interrogation of
3 those witnesses.

4 So they have testified, and if you wish
18:55 5 to challenge that in your comments, your written
6 comments, or go down to the Planning Commission
7 and challenge that, that's fine. But we're not
8 going to conduct an investigation here, ask for
9 ID, ask you to turn over income tax returns so we
18:55 10 can determine who she's working for. That's not
11 out purpose tonight.

12 MR. CLARK: But on the other hand, I am
13 working for the developer.

14 MR. MCCARTHY: Again, Aaron, just for the
18:55 15 record --

16 MR. CLARK: By the way --

17 MR. NAHHAS: Thank you for being --

18 MR. CLARK: Aaron Clark, A-A-R-O-N,
19 C-L-A-R-K. And I'm proud of the project.

18:55 20 In response to some of these comments it
21 will have traffic impacts; they will be
22 unmitigated; we will pay a fee.

23 AUDIENCE MEMBER: What happens to the money?

24 MR. MCCARTHY: Ma'am --

18:55 25 MR. CLARK: Well, it goes into the County

18:55 1 Department of --

2 THE REPORTER: I'm sorry?

3 MR. MCCARTHY: (Indicating.)

4 We cannot have a transcript prepared
18:56 5 when unidentified persons are speaking. There
6 will be no outbursts from the audience. We're
7 allowing him to speak.

8 MR. CLARK: And I apologize. I should not
9 engage with you.

18:56 10 What I'm saying is there will be a
11 substantial fee paid. The Department of Public
12 Works has a program for apportioning those fees
13 into traffic improvements within the marina and on
14 the periphery of the marina. I know that's hard
18:56 15 for you to see sometimes. But also the Small
16 Craft Harbor Commission and the Design Control
17 Board both unanimously approved this project,
18 seeing it to be consistent with the LCP, which it
19 is in all ways, except for the one variance, which
18:56 20 were -- it's not a amendment; it's a variance --
21 to allow a boater serving open-air dry-stack
22 storage facility on Bali Way to encroach a little
23 bit into the street frontage so that they can
24 provide more boats.

18:57 25 I think that's important to note here

18:57 1 tonight that it is conforming to the LCP with the
2 local coastal program; it's not asking for any
3 exclusions or variance -- one variance -- but no
4 amendments to that plan, which is sacrosanct. I
18:57 5 understand that.

6 Beyond that, you know, this developer in
7 his own way has tried to accommodate the
8 Corinthian Yacht Club in a meaningful way, not in
9 an insignificant way, and is going to rebuild a
18:57 10 new marina with boat serving uses. So in those
11 ways we think this project is very helpful to the
12 marina, notwithstanding the fact it will have
13 traffic impact; that's disclosed in the EIR. And
14 it will be overridden in the statement of
18:57 15 overriding considerations if the County chooses to
16 pursue that.

17 MR. MCCARTHY: Does that conclude your
18 remarks?

19 MR. CLARK: Yes, sir. Thank you.

18:58 20 MR. MCCARTHY: Very well.

21 As we indicated before, all of the
22 remarks made tonight will be responded to formally
23 in the final environmental impact report. I know
24 we have one representative from the Small Craft
18:58 25 Harbors Department here. I'm going to ask that

18:58 1 the Small Craft Harbors put the notice regarding
2 the public hearing in their website. If that was
3 not done regarding this meeting, that was
4 something we can correct for the next public
18:58 5 hearing. It will be on the website for the
6 Department of Regional Planning. And again, there
7 will be signs posted on the subject property
8 giving you the date of the public hearing.

9 And again, anybody who testified here is
18:58 10 welcome to show up at the public hearing, and
11 they're welcome to submit written testimony in
12 addition to their remarks made here tonight,
13 they're welcome to talk to their neighbors and
14 encourage them to participate as well.

18:58 15 We don't have -- we don't believe we
16 have an estimate on the completion of the final,
17 do we?

18 THE REPORTER: I'm sorry?

19 MR. MCCARTHY: So it will be several months
18:59 20 before that's prepared, then, and the hearing is
21 scheduled. So we do not have an exact date for
22 the hearing.

23 Again, March 31 is the date you want to
24 remember right now. March 31 is the last day for
18:59 25 your comments. And of course, today is March 4.

18:59

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And with that, we're going to close the
hearing.

(End of Proceedings.)

(The proceedings concluded at 6:59 p.m.)



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

August 26, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Kevin Finkel, AICP, Regional Planner
Special Projects Section

SUBJECT: **Project No. R2013-01647-(4)**
Coastal Development Permit No. 201300003
Conditional Use Permit No. 201300166
Parking Permit No. 201300012
Variance No. 201300004
Environmental Assessment No. 201300142
RPC Meeting: August 26, 2015
Agenda Item: 7

Attached please find the updated Department of Public Works recommendation and additional correspondence that was received subsequent to hearing package submittal to the Regional Planning Commission for the above referenced item.

If you need further information, please contact Kevin Finkel at (213) 974-4854 or kfinkel@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SZD:KAF

Enclosure(s):
Updated Department of Public Works Recommendation
Letter from LAX Coastal Chamber of Commerce
Letter from South Coast Corinthian Yacht Club
Letter from Cardel Yachts



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **LD-4**

August 25, 2015

TO: Samuel Dea
Special Projects Section
Department of Regional Planning

Attention Kevin Finkel

FROM: Art Vander Vis
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201300166
COASTAL DEVELOPMENT PERMIT (CDP) NO. 201300006
PROJECT NO. R2013-01647
MARINA DEL REY, PARCEL 44, PIER 44
4675 ADMIRALTY WAY
ASSESSOR'S MAP BOOK NO. 4224, PAGE 8, PARCEL NO. 901
LOTS 722 THROUGH 728, 730 THROUGH 742, AND 744 THROUGH 758
UNINCORPORATED COMMUNITY AREA OF MARINA DEL REY

Thank you for the opportunity to review the site plan and the zoning permit application for the project located at 4675 Admiralty Way in the unincorporated County community of Marina del Rey. The applicant is requesting authorization for a CUP and a CDP to allow the construction and use of multiple buildings with a buildable area of 82,652-square-feet including 462 parking spaces. The proposed development will include a Trader Joe's market; a two-story, retail store with offices on the second floor; restaurants; boaters' bathroom facilities; and a boat repair shop. The project will also include the development of a waterfront pedestrian promenade along the parcel's bulkhead and realignment of the Marvin Braude Bicycle Path to run parallel to the waterfront pedestrian promenade.

- ☒ Public Works recommends approval of this CUP and CDP.
- ☐ Public Works does **NOT** recommend approval of this CUP and CDP.

Upon approval of the site plan, we recommend the following conditions:

1. Road

- 1.1 Dedicate, through the set aside process, adequate right of way for a corner cut-off (from beginning-of-curb return (BCR) to end-of-curb return (ECR), based on a 35-foot curb-return radius, at the northwest corner of Admiralty Way and Mindanao Way and the southwest corner of Admiralty Way and Bali Way. A fee will be required for the review of the dedication documents.
- 1.2 Dedicate, through the set aside process, an additional 16 feet of road right of way to provide 56 feet of road right of way (from centerline) on Admiralty Way from approximately 195 feet south of the Admiralty Way/Bali Way intersection to the project's proposed main driveway. This dedication is necessary to accommodate the exclusive right-turn lane into the main entrance driveway for the project. A fee will be required for the review of the dedication documents.
- 1.3 Dedicate, through the set aside process, an additional 4 feet of road right of way to provide 44 feet of road right of way (from centerline) on Admiralty Way from the Admiralty Way/Bali Way intersection to approximately 195 feet south of the intersection and from the proposed main entrance driveway to the Mindanao Way/Admiralty Way intersection. A fee will be required for the review of the dedication documents.
- 1.4 Dedicate, through the set aside process, an additional 3 feet of road right of way to provide 30 feet of road right of way (from centerline) on Mindanao Way from the westerly property line of the project to approximately 285 feet west of Admiralty Way. A fee will be required for the review of the dedication documents.
- 1.5 Dedicate, through the set aside process, an additional 14 feet of road right of way to provide 41 feet of road right of way (from centerline) on Mindanao Way from approximately 285 feet west of Admiralty Way to Admiralty Way. A fee will be required for the review of the dedication documents.
- 1.6 Dedicate, through the set aside process, an additional 7 feet of road right of way to provide 34 feet of road right of way (from centerline) on Bali Way from the westerly property line of the project to approximately 285 feet west of Admiralty Way. A fee will be required for the review of the dedication documents.

- 1.7 Dedicate, through the set aside process, an additional 10 feet of road right of way to provide 37 feet of road right of way (from centerline) on Mindanao Way from approximately 285 feet west of Admiralty Way to Admiralty Way. A fee will be required for the review of the dedication documents.
- 1.8 Construct a 35-foot curb-return radius with a curb ramp that meets current Americans with Disabilities Act (ADA) guidelines at the northwest and southwest corners of Admiralty Way and Mindanao Way and the southwest corner of Admiralty Way and Bali Way. Relocate any affected utilities, including the traffic signal poles, as necessary. Relocation of a traffic signal will require a separate traffic signal plan.
- 1.9 Construct an exclusive right-turn lane with adequate base, pavement, curb, gutter, and sidewalk on Admiralty Way to accommodate southbound right-turn movements at the project's main entrance driveway. Relocate any affected utilities.
- 1.10 Construct curb, gutter, and sidewalk 22 feet from the centerline on Mindanao Way from the westerly property line of the project to approximately 285 feet west of Admiralty Way, which is consistent with the site plan. Relocate any affected utilities.
- 1.11 Construct curb, gutter, and sidewalk 30 feet from the centerline on Mindanao Way from approximately 285 feet west of Admiralty Way to Admiralty Way, which is consistent with the site plan. Relocate any affected utilities.
- 1.12 Construct curb, gutter, and sidewalk 33 feet from the centerline on Admiralty Way, along the property frontage, which is consistent with the site plan. Relocate any affected utilities.
- 1.13 Construct curb, gutter, and sidewalk 26 feet from centerline on Bali Way, along the property frontage, which is consistent with the site. Relocate any affected utilities.
- 1.14 Provide a minimum 5-foot-wide sidewalk within the public right of way at all locations along the property frontage. Any above-ground obstructions within the sidewalk area will require sidewalk pop-outs.

- 1.15 Construct driveway approaches at the project site to comply with current ADA guidelines. Relocate any affected utilities. Please note the driveways may need to be depressed at the back of the walk. Any difference in grade as a result of this depression will need to be accommodated on-site.
- 1.16 Construct an 8-foot-wide sidewalk along the south side of Mindanao Way from 285 feet west of Admiralty Way to Admiralty Way. Additionally, it shall be the sole responsibility of the applicant to acquire the off-site dedication/set aside of an additional 4 feet of road right of way to provide 31 feet of road right of way (from centerline) on Mindanao Way to accommodate the new sidewalk.
- 1.17 Median opening modifications will be required along Admiralty Way, Bali Way, and Mindanao Way to accommodate the proposed driveways, the existing driveways at the bike path crossings, and to be consistent with the site plan and the mitigations from the approved traffic impact analysis, to the satisfaction of Public Works and Beaches and Harbor.
- 1.18 Relocate the existing driveway entrance to Parking Lot 5 (Parcel UR) on the north side of Bali Way to align with the project's proposed driveway across the street. The relocation of the existing driveway shall be the sole responsibility of the applicant.
- 1.19 Reconstruct any damaged pavement with asphalt and base from centerline to the edge of gutter on Admiralty Way, Bali Way, and Mindanao Way along the property frontage. Additional pavement reconstruction may be required to properly join the existing pavement beyond the centerline. If Beaches and Harbors requires additional pavement reconstruction beyond the centerline, the applicant will be credited for the additional work from Beaches and Harbors.
- 1.20 Comply with the mitigations and fair share requirements set forth in the approved Traffic Impact Analysis letter from Public Works' Traffic and Lighting Division dated February 27, 2015.
- 1.21 Relocate impacted street lights as a result of the street improvements requirements along the project frontage on Admiralty Way, Bali Way, and Mindanao Way. A street lighting plan will be required. Please contact Traffic and Lighting Division's Street Lighting Section at (626) 300-4705 for design requirements and processing of street lighting plans. A review fee will be required.

- 1.22 Plant street trees along the property frontage of Admiralty Way, Bali Way, and Mindanao Way. On-site trees in the close proximity of the parkway can be substituted in lieu of parkway trees if determined to be acceptable by Public Works and Beaches and Harbors.
- 1.23 Install speed humps in both directions of the approach to the bike path crossing on Mindanao Way and Bali Way, subject to the requirements and approval of Public Works, Beaches and Harbors, and the Fire Department.
- 1.24 Install traffic control devices and pavement markings/enhancements for the bicycle crossing on both Bali Way and Mindanao Way.
- 1.25 Install traffic control devices for pedestrian crossings at the bicycle path on Bali Way and Mindanao Way.
- 1.26 Submit a signing and striping plan to Traffic and Lighting Division for review and approval as a means of mitigating any direct traffic impact along the project frontage and other off-site mitigations as identified in the approved Traffic Impact Analysis letter from Traffic and Lighting Division dated February 27, 2015 (see attached).
- 1.27 Submit a traffic signal plan to Traffic and Lighting Division for review and approval as a means of mitigating any direct traffic impact along the project frontage and other off-site mitigations as identified in the approved Traffic Impact Analysis letter from Traffic and Lighting Division dated February 27, 2015. (See attached)
- 1.28 Submit the impact fees for the Marina del Rey Local Coastal Program to the Public Works Marina del Rey Local Coastal Program Transportation and Improvement Program Account S4M as identified in the attached Traffic and Lighting letter dated February 27, 2015, prior to the issuance of grading permit (see attached).
- 1.29 Submit street improvement plans to Public Works' Land Development Division for review and approval and acquire street plan approval before obtaining a grading permit.
- 1.30 Execute an Agreement to Improve for the street improvements prior to issuance of a grading permit or a building permit, whichever comes first.

For questions regarding the road conditions, please contact Sam Richards of Land Development Division at (626) 458-4921 or srich@dpw.lacounty.gov.

2. Drainage/Grading

- 2.1 Submit a grading plan to Public Works for review and approval that complies with the approved hydrology dated August 8, 2014, or the latest revision. The grading plan must show and call out the following items including, but not limited to, construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, MS4 permit and Low-Impact Development (LID) devices (if applicable), and any required landscaping and irrigation systems. Acknowledgement and/or approval from all easement holders may be required.
- 2.2 Acquire permits and/or letters of nonjurisdiction from all State and Federal agencies, as applicable. These agencies may include, but may not be limited to, the California Coastal Commission; State of California Regional Water Quality Control Board; State of California Department of Fish and Game; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR); and the Army Corps of Engineers.
- 2.3 Comply with the LID standards, per County Code Section 12.84.440, in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/web/forms.aspx>.

For questions regarding drainage/grading condition Nos. 2.1 and 2.2, please contact Mr. Richards at (626) 458-4921 or srich@dpw.lacounty.gov.

For questions regarding drainage/grading condition No. 2.3, please contact Toan Duong of Land Development Division at (626) 458-4921 or tduong@dpw.lacounty.gov.

3. Waterworks

- 3.1 Construct water system improvements and comply with the requirements of the Los Angeles County Fire Department and Department of Public Works' Waterworks Division, District No. 29. The applicant shall sign and execute an agreement statement and submit design water plans for review and approval prior to the issuance of a grading permit. Applicant fees, per Rules and Regulations of the Los Angeles County Waterworks Districts and the Marina del Rey Water System, will be required for the engineering, inspection, and connection fees (see attached).

For questions regarding the waterworks condition, please contact Tom Eng of Waterworks Division at (626) 300-3355 or teng@dpw.lacounty.gov.

Samuel Dea
August 25, 2015
Page 7

4. Sewer

- 4.1 Dedicate, through the set aside process, adequate sewer easements to the Consolidated Sewer Maintenance District for the continued maintenance and operation of the sewer facilities within the project. The set aside sewer easements shall be 10 feet wide (5 feet on each side of the centerline of the sewer lines). The set aside easements must be recorded prior to the issuance of a grading permit. A review fee will be required for the deed preparation and process.

For questions regarding the sewer condition, please contact Anna Marie Gilmore from Public Works' Sewer Maintenance Division at (626) 300-3360 or agilmore@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz of Land Development Division at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:la

P:\dpub\SUBPCHECK\Plan Checking Files\CUP\CUP 201300166 - Pier 44\TCUP 201300166\2015 08-10 TCUP 201300166 SUBMITTAL\Project No 2013-01647 Parcel 44 Admiralty Way at Mindanao Wy.docx

Attach.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

February 27, 2014

IN REPLY PLEASE
REFER TO FILE: T-4

Mr. Ron Hirsch, P.E.
Hirsch/Green Transportation Consulting, Inc.
13333 Ventura Boulevard, Suite 204
Sherman Oaks, CA 91423

Dear Mr. Hirsch:

PARCEL 44 REDEVELOPMENT TRAFFIC IMPACT ANALYSIS – OCTOBER 2013 UNINCORPORATED MARINA DEL REY AREA

As requested, we have reviewed the Traffic Impact Analysis for the proposed Parcel 44 Redevelopment project located at 13443 Bali Way in the unincorporated Marina del Rey area.

We generally agree with the Traffic Impact Analysis that the traffic generated by the proposed project alone will significantly impact the intersections listed below. We further agree no feasible physical improvements are currently available to mitigate the project's specific impact at the intersections. Please ensure these unmitigated impacts are properly described in the project's Environmental Impact Report.

- Lincoln Boulevard at Mindanao Way
- Lincoln Boulevard at Fiji Way

We also generally agree the cumulative traffic generated by the project and related projects in the area will significantly impact the intersections listed below. The proposed improvements at the intersection of Admiralty Way at Via Marina (scheduled construction start date of January 2016), combined with the improvements currently under construction at the intersections of Admiralty Way at Bali Way and Mindanao Way, will provide sufficient roadway capacity to accommodate the cumulative traffic generated by the project and other related projects.

- Admiralty Way at Via Marina
- Admiralty Way at Palawan Way
- Admiralty Way at Bali Way
- Admiralty Way at Mindanao Way

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- Washington Boulevard at Ocean Avenue/Via Marina
- Washington Boulevard at Palawan Way

Further, we agree no feasible physical improvements are currently available to mitigate the potential cumulative impacts at the intersection listed below. Please ensure the unmitigated impacts are properly described in the project's Environmental Impact Report.

- Lincoln Boulevard at Bali Way

Lastly, we agree the project shall construct the following improvements as part of its site access requirements:

- Add a second eastbound through lane at the intersection of Mindanao Way at Admiralty Way.
- Construct a new northbound left-turn pocket at the existing median opening along Admiralty Way.
- Construct a southbound deceleration lane on Admiralty Way between Bali Way and the project driveway.
- Construct a pork-chop island at the project.
- Install KEEP CLEAR pavement markings at the existing median opening along Admiralty Way.

These site access improvements shall be designed to accommodate southbound right-turn ingress, southbound right-turn egress, and northbound left-turn ingress movements at the project driveway located along Admiralty Way.

As required by the Marina del Rey Local Coastal Program, the project shall pay the traffic mitigation fee of \$5,690 per p.m. peak-hour trip for Categories I and III improvements. Based on the estimated 411 gross trips generated in the p.m. peak hour, the project's mitigation fee shall be \$2,338,590 with \$654,312 allocated to Category I improvements and the remaining \$1,684,278 allocated to Category III improvements. The payment shall be made to Public Works, Marina del Rey Local Coastal Program Transportation Improvement Program, Account S4M, upon the approval of the project.

The Cities of Culver City and Los Angeles and California Department of Transportation shall be consulted to obtain their concurrence with any potential California Environmental Quality Act impacts within their jurisdictions.

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If you have any further questions regarding the review of this document, please contact Mr. Suen Fei Lau of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4820.

Very truly yours,

GAIL FARBER
Director of Public Works



DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

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JFF
SFL
cc: Department of Beaches and Harbors (Barry Kurtz)
Department of Regional Planning (Anita Gutierrez)
California Department of Transportation (Cheryl Powell)
City of Culver City (Charles Herbertson)
City of Los Angeles (Jay Kim)

bc: Design (Radle)
Land Development (Narag)
Programs Development (Dingman)
Traffic and Lighting (Quintana)



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August 20, 2015

Los Angeles County Planning Commission
320 West Temple Street, Room 1320
Los Angeles, CA 90012

RE: Case No: Project R20113-01647-4; Parcel 44, Marina del Rey -- (Pier 44 Landside)

Dear Chairman Modugno and Honorable Commissioners:

On behalf of the LAX Coastal Chamber of Commerce which represents over 500 businesses in the Marina del Rey area, many of which are located within County-owned Marina del Rey, I am writing to express our enthusiastic support of the Pier 44 project. This development plan was approved unanimously by our Marina Affairs Committee, Public Policy Committee and our Board of Directors.

The LAX Coastal Chamber of Commerce is extremely supportive of the redevelopment and revitalization of Marina del Rey. Although we monitor the redevelopment progress of many Marina del Rey projects, we are focused on key areas that will have significant impact on Marina del Rey and the community at large. Pier 44 is such a project. We have monitored the progress of the Pier 44 redevelopment plans for many years -- from its conception to the point at which it is now. We have watched it evolve to be a truly exceptional project that will be of great benefit to LA County stakeholders.

The primary reasons for our support is that the applicant/developer of Pier 44 plan has made certain to purposefully design this project to:

- Comply with the LCP and County ordinances in terms of height, density and parking. It requires no plan amendments and only minor variances.
- Focus on boaters/boating, a basic and primary purpose for Marina del Rey and a key asset for the County of Los Angeles
- Integrate the land with the water, a critical element necessary to engage local stakeholders, visitors from the greater Los Angeles community and to support world-wide tourism. Dinghy docks, water taxi stop, an expansive gathering area and wide promenade
- Provide a memorable and iconic entry into Marina del Rey at its most popular and busy entry-point
- Support biking and pedestrian friendliness. This project will have ample bike racks and lockers and, most importantly, it re-aligns the state of California bicycle trail, thus assuring bicyclists from everywhere, a unique, safe, exciting and marine-adjacent ride in Marina del Rey

Sincerely,

Christina Davis
President/CEO



South Coast Corinthian
Yacht  Club

13445 Mindanao Way
Marina del Rey, CA 90292
commodore@sccyc.org
www.sccyc.org

August 23, 2015

Los Angeles County Regional Planning Commission
c/o: Mr. Pat Modugno, Chair
320 W. Temple Street, Room 1350
Los Angeles, CA 90012

Re: Marina del Rey Pier 44 Redevelopment Proposal (County Project No. PRR2013-01647-4)

Honorable Chairman and Commissioners:

As Commodore of the South Coast Corinthian Yacht Club (SCCYC), I am writing to convey our Club's strong support for Pacific Marina Venture's (PMV) redevelopment proposal for Pier 44. SCCYC respectfully asks that your Commission vote to approve the project at your August 26, 2015 public hearing on the project application.

By way of background, SCCYC is the longest-lived yacht club in Santa Monica Bay and among the oldest on the Pacific Coast, tracing its incorporation to March 1932. Since our inception, SCCYC has retained its original goal of yachting accessibility for all and solidifying the Corinthian spirit. For the past 49 years, SCCYC has operated from our current clubhouse facility located on G Basin at Pier 44.

PMV's controlling owners, Messrs. Michael Pashaie and David Taban, reached out to us early-on in the planning stages for their proposed redevelopment for Pier 44 to solicit our Club's input regarding their plans in order to make sure SCCYC would have an attractive and well-functioning new clubhouse and support facilities (e.g., small boat storage areas, parking and boat hoist facilities) in their new project. Through a series of working sessions between SCCYC's leadership and PMV's representatives over a number of months, we have arrived at a final plan which we believe will provide SCCYC a state-of-the-art yacht club facility in the new project. This, we are confident, will enable our Club to grow our membership and sustain us for the next 50 years at the redeveloped Pier 44. PMV should be commended for the collaborative manner in which they engaged our Club to accommodate our needs in the new project. Less thoughtful developers may well have assumed our small yacht club was not worth the time and effort and paid short shrift to our concerns. PMV took the opposite approach, resulting in a project I am confident both SCCYC and the larger boating and visiting public will enjoy for many years to come.

We look forward to the completion of the Pier 44 project and hope it will come to fruition as soon as possible. SCCYC strongly urges you to support the project and vote "yes" on August 26th.

Best personal regards,

Trevor Bazeley
SCCYC Commodore

cc: Hon. Don Knabe, 4th District Supervisor
Gary Jones, LA County Director of Beaches & Harbors



August 25, 2015

Los Angeles County Regional Planning Commission
320 West Temple St., Room 1350
Los Angeles, CA 90012

RE: Case # Project R20113-01647-(4)Parcel44, Marina del Rey

Attention: Chairman Modugno

My name is Tony del la Vega and I own a business call Cardel Yacht and Ship Brokerage. My apologies for not being in this meeting, but I am out of town with clients, therefore, I'm asking to have this letter be read to you.

As a yacht broker in Marina del Rey, I would like to extend my strong support for the project of Parcel 44. I have always said that Parcel 44 needs to be revitalized and renovated with new stores and restaurants.

The renovation is an integral and important part of the Marine Industry, especially for yacht brokers like myself. We have struggled in this poor economy and the addition of stores like West Marine and others, could bring in foot traffic that would be welcomed with open arms.

I am extremely grateful to Mike Seldon of Pier 44 and his staff for their never ending support of the Marine Industry and tenants like myself., and again I strongly recommend and support the Parcel 44 renovation.

Respectfully yours,

Tony del la Vega
CARDEL YACHTS
Mobil: (310) 210-1385
www.cardelyachts.com

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